



AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/  
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF  
THE CITY OF NATIONAL CITY  
ONLINE ONLY MEETING

<https://www.nationalcityca.gov/webcast>

LIVE WEBCAST  
COUNCIL CHAMBERS  
CIVIC CENTER

1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA  
TUESDAY, APRIL 6, 2021 – 6:00 PM

**ALEJANDRA SOTELO-SOLIS**  
Mayor

**JOSE RODRIGUEZ**  
Vice Mayor

**MARCUS BUSH**  
Councilmember

**RON MORRISON**  
Councilmember

**MONA RIOS**  
Councilmember

**NOTICE:** The health and well-being of National City residents, visitors, and employees during the COVID-19 outbreak remains our top priority. The City of National City is coordinating with the County of San Diego Health Human Services Agency, and other agencies to take measures to monitor and reduce the spread of the novel coronavirus (COVID-19). **The World Health Organization has declared the outbreak a global pandemic and local and state emergencies have been declared providing reprieve from certain public meeting laws such as the Brown Act.**

As a result, the City Council Meeting will occur only online to ensure the safety of City residents, employees and the communities we serve. A live webcast of the meeting may be viewed on the city's website at [www.nationalcityca.gov](http://www.nationalcityca.gov). For Public Comments see "PUBLIC COMMENTS" section below

**ORDER OF BUSINESS:** Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Meetings begin in Open Session at 5:00 p.m. or such other time as noted, and after announcing closed session items, convenes into a Closed Meeting. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

**REPORTS:** All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review on the City's website at [www.nationalcityca.gov](http://www.nationalcityca.gov). Regular Meetings of the Elected Body are webcast and archived on the City's website at [www.nationalcityca.gov](http://www.nationalcityca.gov).

**PUBLIC COMMENTS:** There are multiple ways you can make sure your opinions are heard and considered by our City Council as outlined below:

**Submit your public comment prior to the meeting:** To submit a comment in writing, email [PublicComment@nationalcityca.gov](mailto:PublicComment@nationalcityca.gov), provide the agenda item number and title of the item in the subject line of your email. Public comments or testimony is limited to up to three (3) minutes. If the comment is not related to a specific agenda item,

1243 National City Blvd.  
National City, CA 91950  
619-336-4240

Meeting agendas and  
minutes available on the  
City's website at  
[WWW.NATIONALCITYCA.GOV](http://WWW.NATIONALCITYCA.GOV)

indicate General Public Comment in the subject line. All email comments received by 4:00 p.m. on the day of the meeting will be read into the record at the City Council meeting, emailed to the City Councilmembers, and retained as part of the official record. All comments will be available on the City website within 48 hours following the meeting.

**Register online and participate in live public comment during the meeting:** To provide live public comment during the meeting, you must pre-register on the City's website at <https://www.nationalcityca.gov/publiccomment> by 4:00 p.m. on the day of the regular meeting to join the City Council Meeting.

\*\*\*Please note that you do not need to pre-register to watch the meeting online, but you must pre-register if you wish to speak.

Once registered, you will receive an email with a link from Zoom to join the live meeting. You can participate by phone or by computer. Please allow yourself time to log into Zoom before the start of the meeting to ensure you do not encounter any last-minute technical difficulties.

\*\*\*Please note that members of the public will not be shown on video; they will be able to watch and listen and speak when called upon. Public microphones will be muted until it is your turn to comment.

Each speaker is allowed up to three (3) minutes to address the City Council. Please be aware that the Mayor may limit the comments' length due to the number of persons wishing to speak or if comments become repetitious or unrelated.

All comments are subject to the same rules as would otherwise govern speaker comments at the meeting. Speakers are asked to be respectful and courteous. Please address your comments to the City Council as a whole and avoid personal attacks against members of the public, City Council, and city staff.

**Questions about public comment or City Council protocols?** Please contact the City Clerk's Office at (619) 336-4228 or via email at [Clerk@nationalcityca.gov](mailto:Clerk@nationalcityca.gov).

**INTERPRETATION SERVICES:** To use the Zoom interpretation feature you must first Pre-Register on Zoom. Once logged into Zoom to use the interpretation feature, please scroll to the bottom of the Zoom screen (where the meeting controls are), click on the interpretation icon (world), and select English as your language. If you are joining using the Zoom mobile app (cell phone, tablet, etc.), please press the ellipsis (...), then Interpretation, and then choose your language.

**WRITTEN AGENDA:** With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

**CONSENT CALENDAR:** Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**AVISO:** La salud y el bienestar de los residentes, visitantes y empleados de National City durante el brote de COVID-19 sigue siendo nuestra máxima prioridad. El Ayuntamiento de la Ciudad de National City se está coordinando con la Agencia de Salud y Servicios Humanos del Condado de San Diego y otras agencias para tomar medidas con el fin de monitorear y reducir la propagación del nuevo coronavirus (COVID-19). La Organización Mundial de la Salud declaró el brote como una pandemia global y se han manifestado emergencias locales y estatales que resultan en la suspensión de ciertas leyes de reuniones públicas, tal como la Ley Brown.

Como resultado de ello, la junta del Concejo Municipal del Ayuntamiento se llevará a cabo solamente en línea para garantizar la seguridad de los residentes, empleados y comunidades locales que atendemos. Se podrá ver una transmisión en vivo de la junta en el sitio web del Ayuntamiento en [www.nationalcityca.gov](http://www.nationalcityca.gov). Para comentarios públicos, vea la sección “COMENTARIOS PÚBLICOS” más adelante.

**ORDEN DEL DÍA:** Las sesiones públicas de todas las juntas ordinarias del Concejo Municipal/Comisión de Desarrollo Comunitario - Autoridad de Vivienda (en lo sucesivo denominado Órgano Electo) inician a las 6:00 p.m. el primer y tercer martes de cada mes. Las audiencias públicas inician a las 6:00 p.m., a menos que se indique lo contrario. Las juntas cerradas inician en sesión abierta a las 5:00 p.m. o en cualquier otro momento que se indique, y tras anunciar los temas de la sesión cerrada, la junta se realiza como sesión cerrada. Si se programa una reunión de discusión y análisis, el tema y la hora de la misma aparecerán en la agenda. La Alcaldesa y los Concejales se reúnen por igual que el Presidente y los integrantes del Consejo de la Comisión de Desarrollo Comunitario.

**INFORMES:** Todos los temas e informes de la agenda de la sesión abierta, así como todos los documentos y escritos entregados al Órgano Electo menos de 72 horas antes de la sesión, aparecerán en el sitio web del Ayuntamiento. Las juntas ordinarias del Órgano Electo se transmiten por Internet y se archivan en el sitio web del Ayuntamiento en [www.nationalcityca.gov](http://www.nationalcityca.gov).

**COMENTARIOS PÚBLICOS:** Hay varias formas en las que puede asegurarse de que sus opiniones sean escuchadas y consideradas por nuestro Concejo Municipal como se describe a continuación:

**Envíe su comentario público antes de la sesión:** Para enviar un comentario por escrito, envíe un correo electrónico a [PublicComment@nationalcityca.gov](mailto:PublicComment@nationalcityca.gov). Por favor, indique el número del tema del programa y el título del tema en la línea de asunto de su correo electrónico. Los comentarios o testimonios públicos están limitados a tres (3) minutos. Si el comentario no está relacionado con un tema específico del programa, indique Comentario público general en la línea de asunto. Todos los comentarios recibidos por correo electrónico antes de las 4:00 p.m. del día de la reunión serán leídos en el registro en la reunión del Concejo Municipal, enviados por correo electrónico a los Concejales de la Ciudad, y retenidos como parte del registro oficial. Todos los comentarios estará disponible en el sitio web de la ciudad dentro de las 48 horas posteriores a la reunión.

**Regístrese en línea y participe en los comentarios públicos en vivo durante la sesión:**

Para proporcionar comentarios públicos en vivo durante la sesión, debe registrarse previamente en el sitio web del Ayuntamiento en <https://www.nationalcityca.gov/publiccomment> **antes de las 4:00 p.m.** del día de la junta ordinaria para incorporarse a la sesión del Concejo Municipal.

\*\*\*Tenga presente que no necesita registrarse previamente para ver la sesión en línea, pero debe registrarse previamente si desea hablar.

Una vez registrado, recibirá un correo electrónico con un enlace de Zoom para integrarse a la sesión en vivo. Puede participar por teléfono o por computadora. Tómese el tiempo necesario para iniciar la reunión en Zoom antes del inicio de la sesión para asegurarse de no encontrar dificultades técnicas de último momento.

\*\*\*Tenga presente que las personas del público no se mostrarán en vídeo; podrán observar, escuchar y hablar cuando se les solicite. Los micrófonos públicos se silenciarán hasta que sea su turno de comentar.

Cada orador tiene hasta tres (3) minutos para dirigirse al Concejo Municipal. Tenga en cuenta que la Alcaldesa puede limitar la extensión de los comentarios debido a la cantidad de personas que deseen hablar o si los comentarios se vuelven repetitivos o no relacionados.

Todos los comentarios están sujetos a las mismas reglas que de otro modo regirían los comentarios de los oradores en la sesión. Se pide a los oradores que sean respetuosos y corteses. Dirija sus comentarios al Concejo Municipal en su conjunto y evite ataques personales contra personas del público, el Concejo Municipal y el personal del Ayuntamiento.

**¿Preguntas sobre comentarios públicos o protocolos del Concejo Municipal?**

Comuníquese con la Oficina de la Secretaria del Ayuntamiento al teléfono (619) 336-4228, o por correo electrónico a [Clerk@nationalcityca.gov](mailto:Clerk@nationalcityca.gov).

**SERVICIO DE INTERPRETACIÓN:** Para utilizar la función de interpretación zoom primero debe registrarse previamente en el sitio web de Zoom. Una vez que haya iniciado sesión en zoom para utilizar la función de interpretación, favor de desplazarse a la parte inferior de la pantalla de Zoom (donde aparecen los controles). Haga clic en el ícono de interpretación (globo terráqueo), y seleccione "*Spanish*" (español). Si está utilizando la aplicación móvil de Zoom (celular, tableta, etc.), presione los puntos suspensivos (...), luego "*interpretation*" y luego el idioma.

**AGENDA ESCRITA:** Con contadas excepciones, el Órgano Electo puede tomar medidas únicamente sobre los temas que aparecen en la agenda escrita. Los temas que no aparezcan en la agenda deben aparecer en una agenda subsecuente, a menos que sean de emergencia o urgencia demostrada, y la necesidad de tomar medidas sobre esos temas haya surgido después de haber sido publicada la agenda.

**CALENDARIO DE CONSENTIMIENTO:** Los temas del calendario de consentimiento implican cuestiones de naturaleza rutinaria o no controvertida. Todos los temas de consentimiento se adoptan mediante la aprobación de una sola moción del Concejo Municipal. Antes de la aprobación, cualquier tema puede eliminarse de la parte de

consentimiento de la agenda y considerarse aparte, a petición de un concejal, individuo del personal del Ayuntamiento o persona del público.

Previa solicitud, esta agenda puede estar disponible en formatos alternativos apropiados para personas con discapacidades, en observancia de la Ley de Estadounidenses con Discapacidades. Llame al teléfono (619) 336-4228 de la Oficina del Secretario del Ayuntamiento para solicitar una modificación o adaptación de acceso relativa a la discapacidad. Notificar 24 horas antes de la sesión permitirá al Ayuntamiento hacer arreglos razonables para garantizar la accesibilidad a esta junta.

## **OPEN TO THE PUBLIC**

### **A. CITY COUNCIL**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **PLEDGE OF ALLEGIANCE TO THE FLAG**

#### **PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)**

#### **PROCLAMATIONS AND CERTIFICATES**

1. [National City denounces Xenophobia and Anti-Asian racism.](#)
2. [National City celebrates the 50th anniversary of American Legion.](#)
3. [Fair Housing Month Proclamation.](#)

#### **AWARDS AND RECOGNITIONS**

#### **PRESENTATIONS (FIVE-MINUTE TIME LIMIT)**

4. [Maritime Clean Air Strategy \(MCAS\) Discussion Draft Overview. \(Larry Hofreiter, Program Manager, Port of San Diego / Sandy Naranjo, Port Commissioner, Representing City of National City\)](#)
5. [Update on Paradise Creek Community Garden. \(Jen Nation, Executive Director, Olivewood Gardens & Learning Center\)](#)

#### **INTERVIEWS / APPOINTMENTS**

6. [Appointments: City Boards, Commissions and Committees - Mayoral Appointment \(City Clerk\)](#)

#### **REGIONAL BOARDS AND COMMITTEE REPORTS (FIVE-MINUTE TIME LIMIT)**

#### **CONSENT CALENDAR**

7. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)

8. [Approval of Meeting Minutes: Virtual Regular City Council Meetings Minutes: February 16, 2021, March 2, 2021, Virtual Special City Council Meeting Minutes: September 12, 2020, September 19, 2020, February 16, 2021. \(City Clerk\)](#)
9. [Resolution of the City Council of the City of National City authorizing the Mayor to execute the Second Amendment to the Agreement between the City of National City and RMG Communications to expand the scope of the agreement to include communications specific to the City's COVID-19 outreach efforts and other communication and outreach strategic goals. \(City Manager\)](#)
10. [Resolution of the City Council of the City of National City ratifying the Agreement between the City of National City and Colantuono, Highsmith & Whatley, PC for legal services in consultation with the City Attorney in defending the City and the City's Successor Agency to the Community Development Commission as the National City Redevelopment Agency in the active litigation Affordable Housing Commission v. Sandoval, et al. for the total not to exceed amount of \\$25,000.00 and approving the City Attorney's execution of same. \(City Attorney\)](#)
11. [Resolution of the City Council of the City of National City, amending the final contract amount of \\$926,695.06 by \\$522.57 to \\$927,217.63 approved on October 20, 2020 by City Council Resolution No. 2020-193 for the work performed by Select Electric, Inc. on the Citywide Traffic Signal and ADA Improvements Project, CIP No. 18-05, due to minor clerical errors. \(Engineering/Public Works\)](#)
12. [Resolution of the City Council of the City of National City approving the 405 W. 18th Street Subdivision Map, Case File Number 2019-08 S, and authorizing the Mayor and City Clerk to sign the map. \(Engineering/Public Works\)](#)
13. [Investment Report for the quarter ended December 31, 2020. \(Finance\)](#)
14. [Investment transactions for the month ended January 31, 2021. \(Finance\)](#)
15. [Warrant Register #34 for the period of 2/17/21 through 2/23/21 in the amount of \\$1,356,270.65. \(Finance\)](#)
16. [Warrant Register #35 for the period of 2/24/21 through 3/02/21 in the amount of \\$1,676,099.03. \(Finance\)](#)

## **PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

17. [An ordinance of the City Council of the City of National City, California adding National City Municipal Code Section 9.60 to regulate commercial cannabis. \(City Manager\)](#)

18. [Public Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Sections 18.30.340 \(Medical marijuana dispensaries\) and 18.30.345 \(Medical marijuana cultivation\) of Title 18 \(Zoning\) of the National City Municipal Code. \(Planning\)](#)

## **NON CONSENT RESOLUTIONS**

## **NEW BUSINESS**

### **B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY**

#### **CONSENT RESOLUTIONS - HOUSING AUTHORITY**

#### **PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY**

19. [Public Hearing and Resolution of the Community Development Commission - Housing Authority of the City of National City approving the Streamlining Annual Public Housing Agency \("Annual PHA Plan"\) for the Housing Choice Voucher Program for Fiscal Year 2021-2022 and authorizing submittal of the Annual PHA Plan for acceptance by the U.S. Department of Housing and Urban Department. \(Housing Authority\)](#)

#### **NON CONSENT RESOLUTIONS - HOUSING AUTHORITY**

#### **NEW BUSINESS - HOUSING AUTHORITY**

### **C. REPORTS**

#### **STAFF REPORTS**

20. [City Manager Report. \(City Manager\)](#)

#### **MAYOR AND CITY COUNCIL**

#### **CLOSED SESSION**

#### **CLOSED SESSION REPORT**

#### **ADJOURNMENT**

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - April 20, 2021 - 6:00 p.m. - Council Chambers - National City, California.

The following page(s) contain the backup material for Agenda Item: [National City denounces Xenophobia and Anti-Asian racism.](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/06/21

## **National City denounces Xenophobia and Anti-Asian racism**

The following page(s) contain the backup material for Agenda Item: [National City celebrates the 50th anniversary of American Legion.](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/06/21

**National City celebrates the 50<sup>th</sup> anniversary of American Legion**

The following page(s) contain the backup material for Agenda Item: [Fair Housing Month Proclamation](#).

Please scroll down to view the backup material.

**Item # \_\_\_\_**  
**4/06/21**

## **Fair Housing Month Proclamation**

The following page(s) contain the backup material for Agenda Item: [Maritime Clean Air Strategy \(MCAS\) Discussion Draft Overview. \(Larry Hofreiter, Program Manager, Port of San Diego / Sandy Naranjo, Port Commissioner, Representing City of National City\)](#)  
Please scroll down to view the backup material.

**Item # \_\_\_\_**

**04/06/21**

**Maritime Clean Air Strategy (MCAS) Discussion Draft Overview**

**Larry Hofreiter, Program Manager, Port of San Diego**

**Sandy Naranjo, Port Commissioner, Representing  
City of National City**

# Maritime Clean Air Strategy (MCAS) Discussion Draft Overview

## Port of San Diego

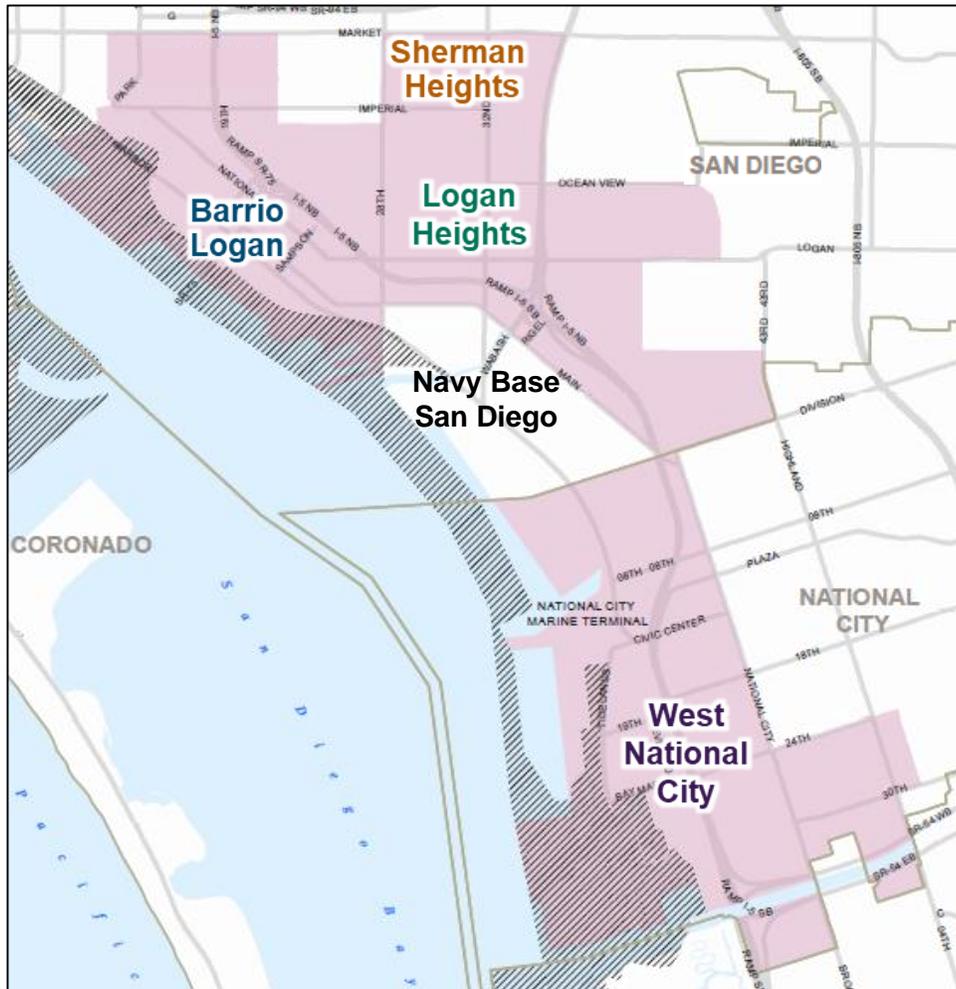
Sandy Naranjo, Port Commissioner, Representing City of National City

Larry Hofreiter, Program Manager, Planning

Maggie Weber, Senior Planner, Planning

# Community Air Protection Program

## AB 617 – Community Air Protection Program



### AB 617 Portside Community

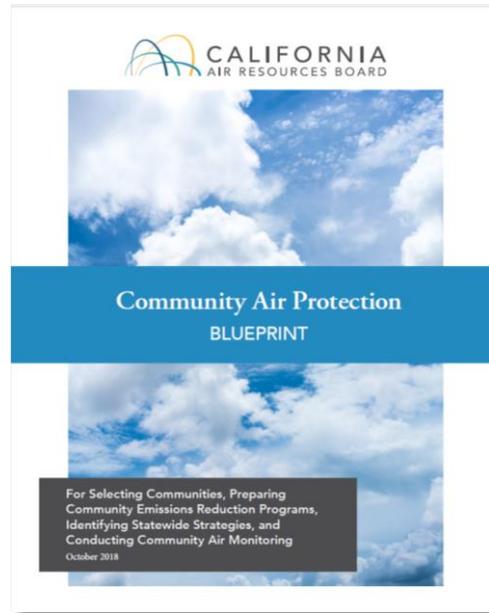
Community Emissions Reduction Program (CERP), 2019:

- Focus and accelerate new actions that go beyond existing programs
- Steering Committee to guide development of the program

#### Legend

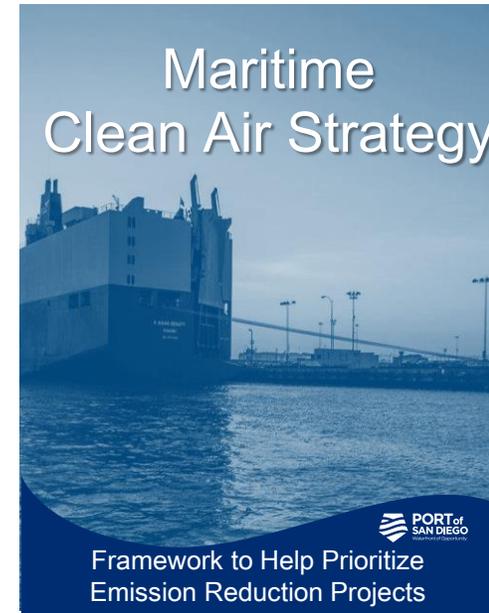
- AB617 - Portside Community
- Port Jurisdiction
- Municipal Areas

# Complementary Efforts



## AB 617 CERP

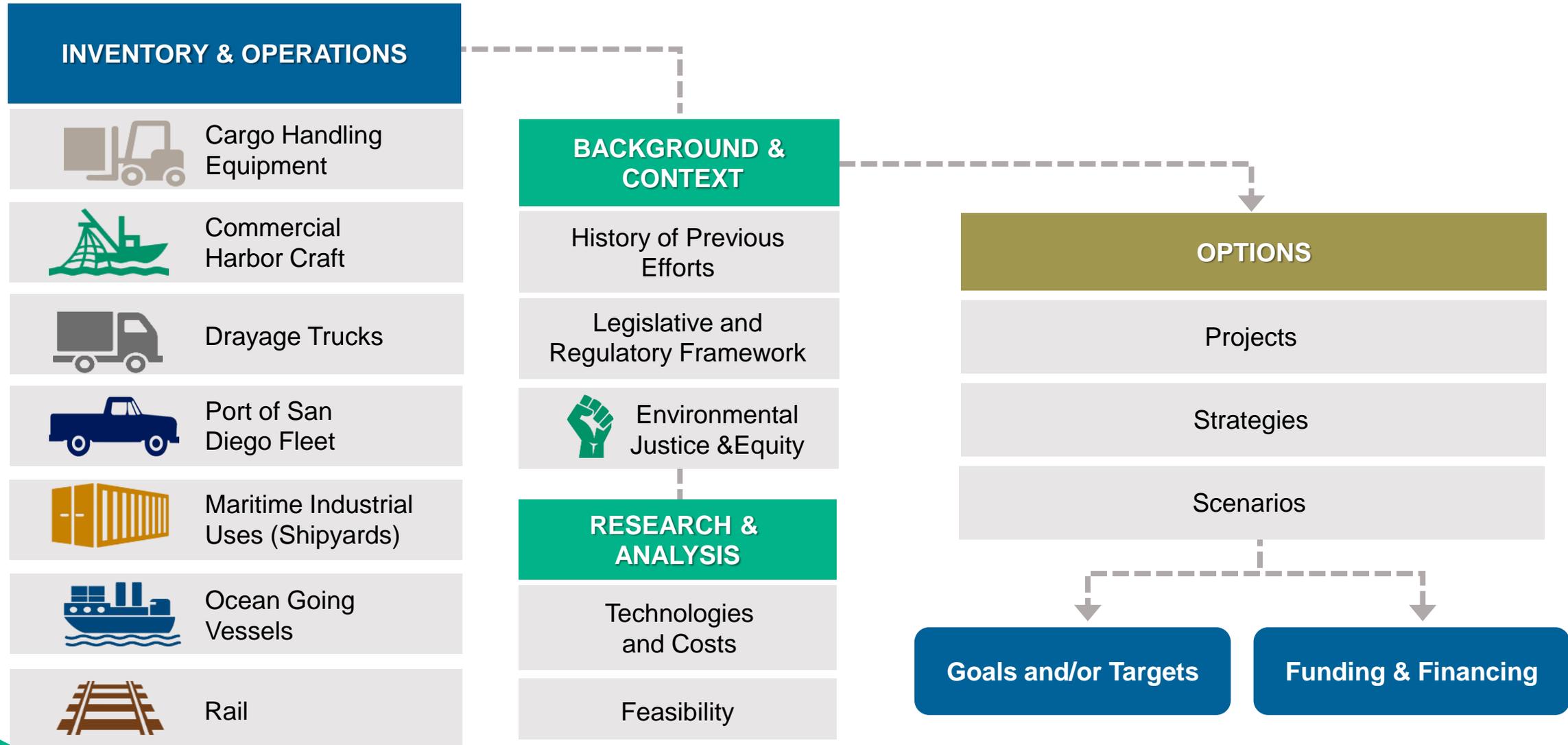
- Multi-jurisdictional plan for the region
- Portside Community focus
- Accelerate new actions beyond existing programs



## District's MCAS

- District's plan for Port Tidelands
- Maritime and goods movement focus
- Guide emission reduction projects and investments

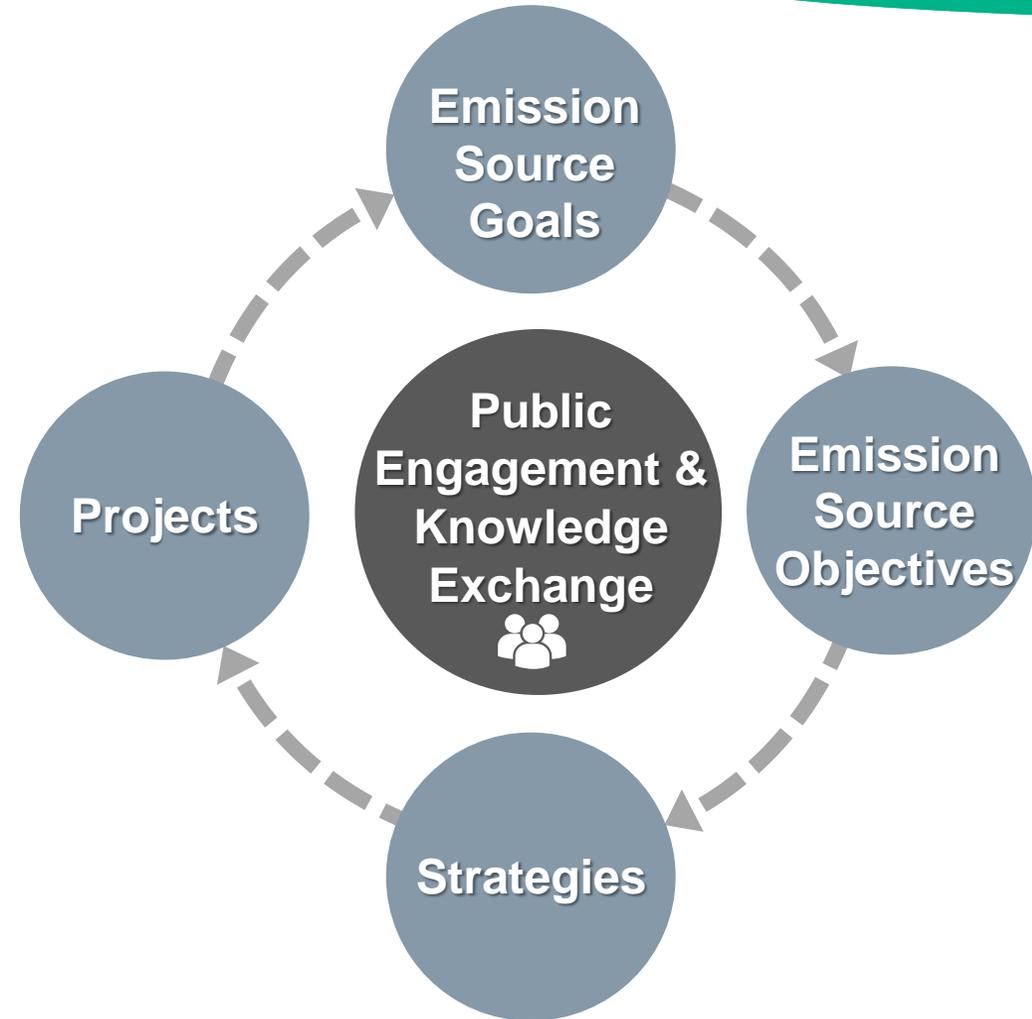
# Maritime Clean Air Strategy Approach



# Maritime Clean Air Strategy

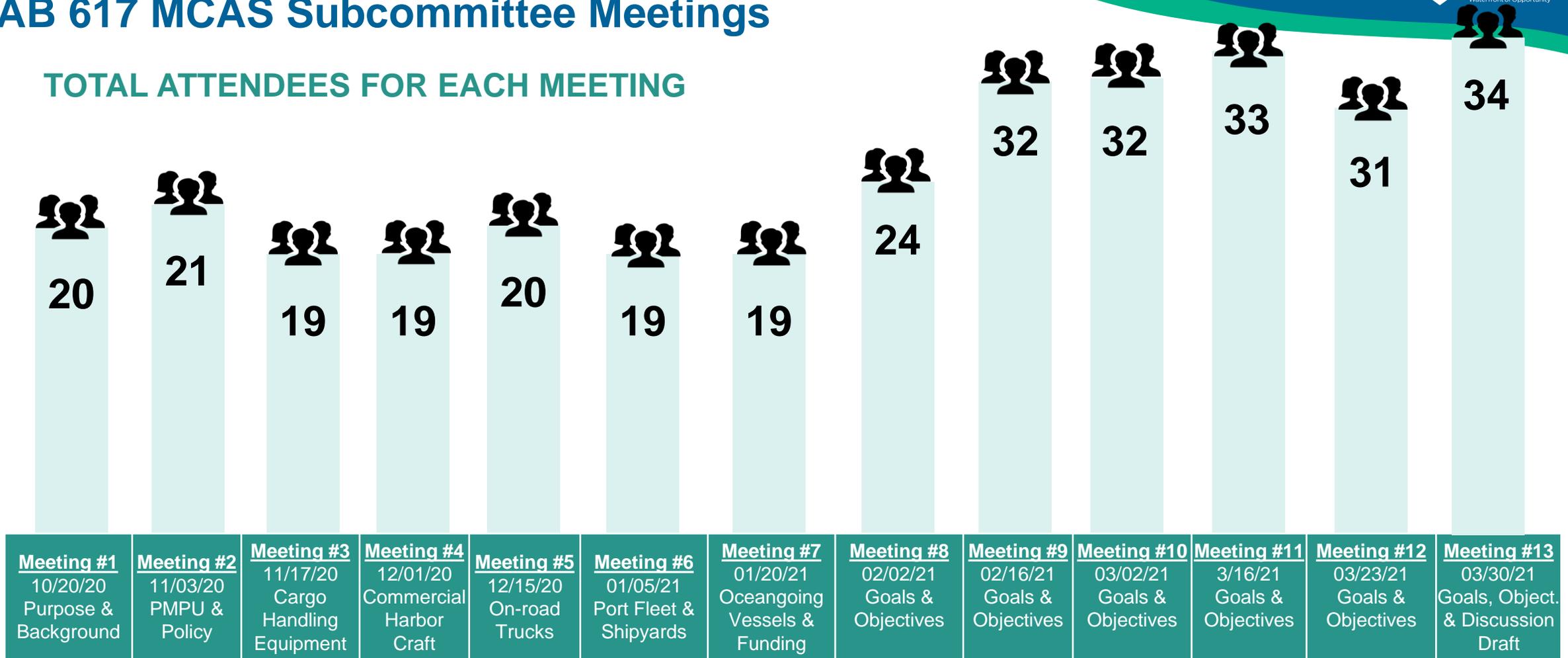
## Goals and Objectives

- S.** Specific
- M.** Measurable
- A.** Attainable
- R.** Relevant
- T.** Time-bound
- I.** Inclusive
- E.** Equitable



# AB 617 MCAS Subcommittee Meetings

## TOTAL ATTENDEES FOR EACH MEETING



# Next Steps

- **March 23<sup>rd</sup> – MCAS Discussion Draft (4 weeks)**
  - <https://pantheonstorage.blob.core.windows.net/environment/Maritime-Clean-Air-Strategy-Discussion-Draft.pdf>
- **April 7<sup>th</sup> – Community Conversation at 5pm**
  - [https://us02web.zoom.us/webinar/register/WN\\_KcQj39R4Raiq6cB4v33I6w](https://us02web.zoom.us/webinar/register/WN_KcQj39R4Raiq6cB4v33I6w)
- **Written Comments Due by April 20th**
  - [MCAS@portofsandiego.org](mailto:MCAS@portofsandiego.org)
- **May 11<sup>th</sup> – Board of Port Commissioners Meeting (Target date)**
  - <https://www.portofsandiego.org/about-port-san-diego/board-meetings>

## Community Residents



## Agencies and Industry



A large, multi-decked ship is docked at a port. The ship is white with a dark hull. The port area includes several tall, thin light poles and some buildings in the distance. The entire image is overlaid with a semi-transparent teal color. The text "Back Up" is centered in the upper half of the image.

# Back Up

# Legend

 **Aligns with State Requirements**

 **Goes beyond State Requirements**

# Cargo Handling Equipment

**CHE Goal – Attain substantial reductions for CHE related emissions by facilitating upgrades to ZE/NZE equipment alternatives.**



**Objective CHE #1: Reduce emissions from cargo handling equipment by approximately 90% for NOx, 80% for DPM, and 50% for CO2e below 2019 levels by 2026**



**Objective CHE #2: Continue to stay engaged with CARB Rule-making development**

# Commercial Harbor Craft

**CHC Goal – Reduce emissions from Harbor Craft by advancing emerging zero emission technologies through 2031.**

 **CHC Objective 1:** Support ZE Tugboats and Ferries in advance of State regulations, as opportunities become available.

 **Objective 2:** Advance the State’s goals for commercial harbor craft by supporting short-run ferry-operators with implementing ZE ferries for **all new** short-runs, and by assisting tug-operators with implementing hybrid/electric technologies **for all new** tugs and excursion vessels.

# Heavy Duty Trucks

**TRK GOAL 1 – To improve the air quality of the Portside community, accelerate the phase-out of diesel trucks that call to the Port’s marine terminals, in alignment with the State’s long-term goal to reach 100% ZE Drayage Trucks by 2035.**



**TRK Objective 1A: Develop a short-haul on-road ZE Truck Shuttle Program, with accompanying charging infrastructure, comprised of a trucking company and/or independent drivers to displace approximately 20,000 diesel vehicle miles traveled annually (equal to about 12 percent of community miles) by 2024 and continuing through 2026.**



**TRK Objective 1B: Reduce 10% of the 2016 Maritime Air Emissions Inventory’s truck emissions (DPM and NOx) by 2023 by working with stakeholders to deploy: a) technologies; or b) fuels; or c) by modifying current business practices and operations.**



**TRK Objective 1C: Use truck registry system to promote that all short-haul drayage truck routes are ZE by 2031.**



**TRK Objective 1D: Collaborate with community residents, stakeholders, and agencies to identify up to three locations for ZE truck charging with each site capable to serve ten trucks simultaneously by 2023.**



**TRK Objective 1E: Work with SDG&E and community stakeholders to develop sites identified in Objective 1D to provide the best available charging technology, and to ensure that the sites are accessible to both fleet and independent truckers and that there is a fair and reasonable rate structure for the customers by 2026.**

# Heavy Duty Trucks

**TRK GOAL 2 – Support the designated truck route to avoid truck impacts to the local community.**



**TRK Objective 2A: Work with partners to create a connected and flexible freight and transit haul route that provides more efficient freeway access and encourages truck drivers to avoid residential neighborhoods by leveraging technology to support dedicated lanes, signal prioritization and/or geofencing.**

# Port of San Diego Fleet

**FLT Short Term Goal 1 – Update Port procurement policies to acquire zero emission vehicles and best available alternative fuels or technologies.**



**FLT Objective 1A: Update the Port’s vehicle procurement policy to identify a hierarchy of procurement considerations which targets zero emission vehicles and then best available alternative fuels to ensure the lowest emitting option available.**



**FLT Objective 1B: Create a zero-emission vehicle transition plan in FY 2022 for the Port’s fleet of vehicles and equipment which identifies a long-term acquisition schedule for when current vehicles and equipment will be phased out and new electric vehicles and equipment is anticipated to be procured.**

# Port of San Diego Fleet

**FLT Short Term Goal 2 – Procure zero emission vehicles and necessary electric vehicle service equipment for charging beginning in FY 2022.**



**FLT Objective 2A: Procure at least two better electric medium- to heavy-duty vehicles in FY 2022.**



**FLT Objective 2B: Apply to SDG&E Power Your Drive for Fleets Program in calendar year 2021, which aims to install infrastructure to support power needs and electric vehicle charging located at the General Services facility.**

# Port of San Diego Fleet

**FLT Long Term Goal 1 – Shift to battery-electric vehicles with a target of all light-duty vehicles becoming electric by 2030 and all medium- to heavy-duty vehicles becoming electric by 2035.**

**FLT Long Term Goal 2 – Transition emergency vehicles to alternative fuels including hybrid, electric, and/or low carbon fuels.**

**FLT Long Term Goal 3 – Convert equipment such as forklifts, small powered generators, and lawn maintenance equipment to zero-emissions, hybrid technologies, and/or low carbon fuels, where feasible and commercially available.**

**FLT Long Term Goal 4 – Seek opportunities to advance lower emitting solutions for marine vessels (few options existing for zero emission vessels).**

# Shipyards

The Ports three major shipyards have committed to the following emission reduction strategies as part of the Portside Community's AB 617 Draft Community Emission Reduction Plan (November 2020), and are summarized below.

## **AB 617 Draft CERP Action G5: Reduce DPM and NOx Emissions from Portable Air Compressors and Other Diesel Sources at Shipyards.**

*The shipyards have committed to requiring on site portable air compressors to be powered by either electric or diesel Tier 4 engines, in addition to continuing ongoing actions to reduce emissions from on and off-road diesel equipment, no later than May 1, 2021.*

## **AB 617 Draft CERP Action G6: Promote Best Practices for Reducing Diesel, VOC, and other Emissions from Ship Repair Activities.**

*The shipyards have committed to conduct trainings and events focused on best practices for ship repair contractors to reduce emissions.*

## **AB 617 Draft CERP Action G7: Reduce Emissions from Shipyard Employee Transportation.**

*The shipyards have committed to promoting and increasing participation in alternative transportation.*

# Ocean Going Vessels

**OGV In-Transit Goal 1 – Reduce OGV in-transit annual emissions by 243 tons for NOx, 5 tons for DPM and 9,685 metric tons for CO2e.**

 **OGV Objective 1A: Implement an expanded VSR Program that achieves upwards of 90% compliance.**

**OGV At-Berth Goal 2 – Reduce OGV At-Berth emissions by expanding existing and/or developing new shore power systems and/or equivalent technologies at the Port's marine terminals.**

 **OGV Objective 2A: At CST, add additional plug to existing shore power system by 2023.**

 **OGV Objective 2B: At NCMT, add new shore power system with at least two plugs by 2025.**

 **OGV Objective 2C: At TAMT, add additional plug to existing shore power system by 2031.**

# Rail

## RL Goal 1 – Implement Rail Upgrades identified in TAMT EIR.



**RL Objective 1:** Complete TAMT rail upgrades including a rail lubricator and compressed air system for air brake testing.

## RL Goal 2 – Promote the use of Single Engine Tier 4 Switcher if applicable to operations at TAMT and NCMT.



**OGV Objective 2A:** Tenants that rely on rail operations to move cargo shall be encouraged to use cleaner switchers.

# Funding

**FND Goal 1** – Establish a process that allows stakeholders and the public to provide input in the selection, deployment, and on-going monitoring of emission reduction projects.

**FND Goal 2** – Create a Clean Air Clearinghouse Program to holistically support deployment, operation and maintenance of large emission reducing projects, with clean air benefits.

**FND Goal 3** – Enter into a Memorandum of Understanding (MOU) with the San Diego Air Pollution Control District (SDAPCD) to administer CARB Funding to help fund ZE/NZE Trucks and/or Cargo Handling Equipment.

**FND Goal 4** – Establish an Emission Reductions Incentive Program.

**FND Goal 5** – Prepare a market study / feasibility analysis for the Board that explores a range of potential fees that can support zero and near-zero emission reduction projects, as well as any implications that the fee may have on the Port's revenue and maritime business opportunities.

The following page(s) contain the backup material for Agenda Item: [Update on Paradise Creek Community Garden. \(Jen Nation, Executive Director, Olivewood Gardens & Learning Center\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/06/21

**Update on Paradise Creek Community Garden**

**Jen Nation, Executive Director  
Olivewood Gardens & Learning Center**

The following page(s) contain the backup material for Agenda Item: [Appointments: City Boards, Commissions and Committees - Mayoral Appointment \(City Clerk\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.**

**ITEM TITLE:**

Appointments: City Boards, Commissions and Committees - Mayoral Appointment (City Clerk)

**PREPARED BY:** Luz Molina, City Clerk  
Shelley Chapel, Deputy City Clerk

**DEPARTMENT:** City Clerk's Office

**PHONE:** (619) 336-4225

**APPROVED BY:** *Shelley Chapel*

**EXPLANATION:**

Vacancies on the Community and Police Relations Committee were noticed in the Star News, posted on the City Hall Bulletin Boards, City Website, and City Social Media sites to advertise opening and the application acceptance period.

The vacancy notice for the Community and Police Relations Committee was posted Wednesday, February 25, 2021, and all applications were due to the City Clerk's Office by the deadline of Wednesday, March 17, 2021 at 5:00 p.m.

(See Explanation (Attachment A) for more information)

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

n/a

**ENVIRONMENTAL REVIEW:**

n/a

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Mayoral appointment with City Councilmembers confirmation.

**BOARD / COMMISSION RECOMMENDATION:**

n/a

**ATTACHMENTS:**

- Attachment A – Explanation
- Attachment B – Applications (redacted)
- Attachment C – City Council Policy #107
- Attachment D – Boards/Commission/Committees Reference Chart

The City Clerk's Office began advertising and accepting applications for Vacancies on Community & Police Relations Committee, a Mayoral appointed Boards/Commissions/Committees (BCC).

In order to obtain qualified candidates, a Notice of Vacancy was advertised on the following: The City website, posted on the City Hall Bulletin Boards, and City Social Media sites to advertise openings and the application acceptance period.

Deadline to submit applications to the City Clerk's Office to be considered for vacancies was Wednesday, March 17, 2021 at 5:00 p.m. All applications were received before the deadline.

BCC	Number of Open Seats and Term expiration for that seat	Appointing Member(s)	Residency Requirement	Electoral of City Requirement	Compensation
Community & Police Relations Committee	(3) Three Seats 03/31/2024	Mayor subject to Confirmation by the City Council	Yes – Up to two (2) may be non-resident	No	None

The City Clerk's Office received applications from six (6) individuals for the three (3) vacancies:

These vacancies are as a result of the current Committee Members terms ending on March 31, 2021. Two (2) Incumbent members are included with the applications to be considered. One (1) Incumbent (Diana Plazola) has chosen to resign from the Committee at the end of her term.

City Council Policy #107 (A) states, "Incumbent Appointees are not automatically re-appointed but are required to fill out an abbreviated application provided by the City Clerk, indicating their interest in continuing to serve." An email was sent to all incumbents with an invitation including the abbreviated application for consideration.

Per NCMC Section 16.04 – Community & Police Relations Committee, "...of the eight (8) members, seven (7) shall be voting members, of which at least five (5) shall be residents, and up to two (2) may be non-residents."

Four (4) of the applicants are non-residents of City of National City, including one (1) Incumbent.

1. Candy Morales – Incumbent
2. Robert Moreno
3. Andy Y. Sanchez
4. Javier Vargas

COMMUNITY & POLICE RELATIONS COMMITTEE (8 Members) MAYORAL APPOINTMENT						
Member	Position	Residency Requirement	Appointed	Term Expires	Resignation	2/18/2021
Michael Lesley	Chair	Yes	10/30/2018	3/31/2023		Present
Marianne Delatorre	Vice-Chair	Yes	5/21/2019	3/31/2021		Present
Zachary Francisco-Gomez	Committee Member	Yes	7/3/2018	3/31/2022		Present
Candy Morales	Committee Member	No	11/20/2018	3/31/2021		Absent
Daniel Orth	Committee Member	Yes	5/7/2019	3/31/2022		Present
Diana Plazola	Committee Member	Yes	2/17/2015	3/31/2021	3/31/2021	Present
Christine Stein	Committee Member	Yes	1/21/2020	3/31/2023		Absent
Daniel Long	POA Representative	n/a	n/a	n/a		Present



**BOARDS, COMMISSIONS, AND COMMITTEES**

**STATEMENT OF INTENT / REQUEST FOR RE-APPOINTMENT**

The City Council will soon consider appointments and re-appointments to various Boards and Committees.

Please check the box below that best indicates your desire or intent, sign and return to the City Clerk's Office.

I respectfully request to be re-appointed to the **Community & Police Relations Committee.**

I do not desire to be re-appointed.

Marianne Delatorre

A black rectangular box redacting the signature of Marianne Delatorre.

Signature

02/28/21  
Date



**BOARDS, COMMISSIONS, AND COMMITTEES**

STATEMENT OF INTENT / REQUEST FOR RE-APPOINTMENT

The City Council will soon consider appointments and re-appointments to various Boards and Committees.

Please check the box below that best indicates your desire or intent, sign and return to the City Clerk's Office.

I respectfully request to be re-appointed to the **Community & Police Relations Committee.**

I do not desire to be re-appointed.

Candy Morales

  
Signature

03/09/21

Date

APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

RECEIVED

MAR 08 2021

Office of the City Clerk City of National City

- Community & Police Relations Commission\* (CPRC)
Library Board of Trustees
Parks, Recreation & Senior Citizens Advisory Board
Veterans & Military Families Advisory Committee\*
Port Commission
Civil Service Committee
Planning Commission
Public Art Committee
Traffic Safety Committee
Advisory Housing Committee\*

- Applicants must be residents of the City of National City except for those marked by an asterisk (\*). All applicants must be U.S. Citizens.
Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.
Applicants for the Advisory Housing Committee must have subject matter expertise in housing-related issues.

Name: Robert Moreno E-Mail: Moreno-R@nctmail.com

Home Address: [Redacted] Tel No: [Redacted]
(Include City/Zip) Chula Vista, CA 91911

Business Affiliation: Better Business Bureau Title: Conciliation & Engagement Specialist

Business Address: 4747 Viewridge Ave #200 Tel. No.: 658-427-1129

Length of Residence in National City: 15 yrs San Diego County: 34 yrs California: 34 yrs

Educational Background: San Diego State University, 2011, Bachelor's in Journalism
Southwestern College, 2006, Transfer Studies, Sweetwater High School, 2003

Occupational Experience: Better Business Bureau 2019 - Present, Contact
Star-News, 2013 - 2014, City of Chula Vista, 2019

Professional or Technical Organization Memberships:

Civic or Community Experience, Membership, or Previous Public Service Appointments: Chula Vista
Redistricting Commission (2021), Copley-Price YMCA Board of Advisors

Experience or Special Knowledge Pertaining to Area of Interest:

Have you ever been convicted of a felony crime? No: [checked] Yes: \_\_\_ misdemeanor crime? No: [checked] Yes: \_\_\_
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information if "Yes" was marked for the above two questions.

Date: 03/5/2021 Signature: [Redacted]

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

Pursuant to the California Public Records Act, information on this form may be released to the public upon request.

**Supplemental Application:**  
**National City Community and Police Relations Commission (CPRC)**

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Applicant Name: Robert Moverc

Have you ever been convicted of a felony crime: No:  Yes:   
 Have you been convicted of a misdemeanor: No:  Yes:

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

---



---



---

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

***\*\*Disqualifying criteria for Community and Police Relations Commissioner are listed on the back of this form.***

CITY OF NATIONAL CITY  
APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

ATTACHMENT B

- Community & Police Relations Commission\* (CPRC)      \_\_\_ Civil Service Committee  
\_\_\_ Library Board of Trustees      \_\_\_ Planning Commission  
\_\_\_ Parks, Recreation & Senior Citizens Advisory Board      \_\_\_ Public Art Committee\*  
\_\_\_ Veterans & Military Families Advisory Committee\*      \_\_\_ Traffic Safety Committee  
\_\_\_ Advisory Housing Committee\*

- Applicants must be residents of the City of National City except for those marked by an asterisk (\*). All applicants must be U.S. Citizens.  
➤ Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.  
➤ Applicants for the Advisory Housing Committee must have subject matter expertise in housing-related issues.

Name: Emiliano NUNEZ E-Mail: em.b.nunez@gmail.com

Home Address: [REDACTED] Tel No: [REDACTED]  
(Include City/Zip)

Business Affiliation: N/A Title: N/A

Business Address: N/A Tel. No.: N/A

Length of Residence in National City: 28 San Diego County: 28 California: 28

Educational Background: Southwestern College Associates for transfer Political Science (2016)  
Bachelor of Arts Political Science UCSD (2018), current 2L USD Law

Occupational Experience: 3 1/2 yrs Army, 3/2 yrs Army Reserve,  
Intern D9 San Diego City Council, Intern D8 San Diego City Council

Professional or Technical Organization Memberships: Environmental Law Society

Civic or Community Experience, Membership, or Previous Public Service Appointments:  
None

Experience or Special Knowledge Pertaining to Area of Interest: I believe my time in  
the military, the city council offices, and now legal education can bring a  
unique outlook to the Board.

Have you ever been convicted of a felony crime? No:  Yes: \_\_\_ misdemeanor crime? No:  Yes: \_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information if "Yes" was marked for the above two questions.

RECEIVED

Date: 8/5/2020 Signature: [REDACTED]

AUG - 7 2020

Office of the City Clerk  
City of National City

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

**Supplemental Application:**  
**National City Community and Police Relations Commission (CPRC)**

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Applicant Name: Emiliano Nunez

Have you ever been convicted of a felony crime: No:  Yes:   
 Have you been convicted of a misdemeanor: No:  Yes:

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

---



---



---

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

**\*\*Disqualifying criteria for Community and Police Relations Commissioner are listed on the back of this form.**

**Emiliano Nunez**  
 | National City, CA, 91950  
[nnunez@sandiego.edu](mailto:nnunez@sandiego.edu)

### Education

**University of San Diego School of Law, San Diego, California**  
 Juris Doctor expected May 2022

*Activities:* Environmental Law Society, Real Estate Law Society, Business Law Society  
 Tax Law Society

**University of California San Diego, San Diego, California**  
 Bachelor of Arts in Political Science, *cum laude*, June 2018

*GPA:* 3.79  
*Honors:* Provost Honor Roll 4/6 Quarters  
 Pi Sigma Alpha Honor Society

**Southwestern Community College, Chula Vista, California**  
 Associate Degree for Transfer in Political Science, May 2016

*GPA:* 3.75  
*Honors:* Vice President Honors Roll  
 Phi Theta Kappa Honors Society

### Experience

**San Diego City Council District 8, San Diego, California** September 2018 – December 2018  
*Management Intern*

- Briefed docketed items coming forward to Committee and Council for Councilmember David Alvarez
- Engaged in review and analysis of constituent casework and proposed community solutions
- Scheduled meetings and prepared Councilmember for the week.

**San Diego City Council District 9, San Diego, California** March 2017 – June 2018  
*Communications Intern*

- Maintained newsletter correspondence, wrote articles, drafted proclamations and certificates
- Assisted in briefing the priorities of departments when it came to adopt the fiscal budget for the year
- Coordinated with staff to execute community events and town hall meetings

**United States Army Reserve, San Diego, California** December 2013 – August 2017  
*Squad Leader/Team Leader*

- Obtained the rank of sergeant and attended leadership courses
- Set standards for four to eight soldiers and evaluated their job performance through evaluation reports
- Managed and implemented training activities including classes, workshops and exercises

**Georgette Gomez for City Council, San Diego, California** October 2015 – November 2016  
*Deputy Campaign Manager*

- Built and managed field leadership team, including responsibility for meeting benchmarks for voter contact, volunteer recruitment, grassroots engagement, and GOTV efforts
- Collaborated with campaign manager to design and implement effective outreach programs that engaged community leaders and communicated the campaign's field strategy to voters
- Maintained campaign fundraising reports and inputted voter information in database.

**United States Army, Fort Bragg, North Carolina** June 2010 – December 2013  
*Team Member*

- Received directions from supervisors and followed instructions to meet organizational goals
- Awarded three Army Achievement medals and one Army Commendation for leadership and outstanding work ethic

### Interests

Occasional golfer, San Diego eateries, Working on cars, Taking son go-kart racing

**CITY OF NATIONAL CITY**  
**APPLICATION FOR APPOINTMENT**  
**TO CITY BOARDS, COMMISSIONS, AND COMMITTEES**

**RECEIVED**

ATTACHMENT B  
**MAR 11 2021**

Office of the City Clerk  
City of National City

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Community & Police Relations Commission* (CPRC) | <input type="checkbox"/> Civil Service Commission    |
| <input type="checkbox"/> Library Board of Trustees                                  | <input type="checkbox"/> Planning Commission         |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board         | <input type="checkbox"/> Public Art Committee*       |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee*           | <input type="checkbox"/> Traffic Safety Committee    |
| <input type="checkbox"/> Port Commission  | <input type="checkbox"/> Advisory Housing Committee* |

- Applicants must be residents of the City of National City except for those marked by an asterisk (\*). All applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.
- Applicants for the Advisory Housing Committee must have subject matter expertise in housing-related issues.

Name: Andy Y. Sanchez E-Mail: sanchez\_code3@yahoo.com

Home Address: [REDACTED] Chula Vista, CA 91911 Tel No: [REDACTED]  
*(Include City/Zip)*

Business Affiliation: N/A Title: N/A

Business Address: N/A Tel. No.: N/A

Length of Residence in National City: 11 Years San Diego County: 25 Years California: 33 years

Educational Background: Sweetwater Union High School Alumni

Occupational Experience: Security Officer, Financial Services, Insurance Agent

Professional or Technical Organization Memberships: World Financial Group

Civic or Community Experience, Membership, or Previous Public Service Appointments:  
National City Police Explorer, Heart Revolution Church

Experience or Special Knowledge Pertaining to Area of Interest: Police Explorer Law Enforcement training

Have you ever been convicted of a felony crime? No:  Yes:  misdemeanor crime? No:  Yes:   
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information if "Yes" was marked for the above two questions.

N/A

Date: 03/01/2021 Signature: [REDACTED]

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

ATTACHMENT B

**Supplemental Application:**  
**National City Community and Police Relations Commission (CPRC)**

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Applicant Name:           Andy Y. Sanchez          

Have you ever been convicted of a felony crime: No:   X   Yes:       

Have you been convicted of a misdemeanor: No:   X   Yes:       

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

          N/A          

---

---

---

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

***\*\*Disqualifying criteria for Community and Police Relations Commissioner are listed on the back of this form.***

APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- Community & Police Relations Commission\* (CPRC)
Library Board of Trustees
Parks, Recreation & Senior Citizens Advisory Board
Veterans & Military Families Advisory Committee\*
Port Commission

- Civil Service Committee
Planning Commission
Public Art Committee\*
Traffic Safety Committee
Advisory Housing Committee\*

Applicants must be residents of the City of National City except for those marked by an asterisk (\*). All applicants must be U.S. Citizens.
Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.
Applicants for the Advisory Housing Committee must have subject matter expertise in housing-related issues.

Name: Javier Vargas E-Mail: javier.vargas5879@gmail.com

Home Address: [Redacted] Tel No: [Redacted]

Business Affiliation: Automotive Repair Labs Title: OWNER

Business Address: Tel. No.:

Length of Residence in National City: 15 San Diego County: 41 California: 41

Educational Background: Business Management

Occupational Experience: Director of Operations for a large automotive company

Professional or Technical Organization Memberships:

Civic or Community Experience, Membership, or Previous Public Service Appointments: High School Sports Coach Volunteer.

Experience or Special Knowledge Pertaining to Area of Interest: Community outreach

Have you ever been convicted of a felony crime? No: [X] Yes: misdemeanor crime? No: [X] Yes: If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information if "Yes" was marked for the above two questions.

Date: 3/4/2021 Signature: [Redacted]

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

**Supplemental Application:**  
**National City Community and Police Relations Commission (CPRC)**

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Applicant Name: Savien Vargas

Have you ever been convicted of a felony crime: No:  Yes:   
 Have you been convicted of a misdemeanor: No:  Yes:

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

---



---



---

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

***\*\*Disqualifying criteria for Community and Police Relations Commissioner are listed on the back of this form.***

# CITY COUNCIL POLICY

## CITY OF NATIONAL CITY

**TITLE: Appointments to Boards, Commissions,  
and Committees**

**POLICY #107**

**ADOPTED: June 17, 1986**

**AMENDED: February 2, 2021**

### PURPOSE

To establish a procedure to serve as a guide in making appointments to various City Boards, Commissions, and Committees. The City currently has the following Boards, Commissions, and Committees to which this Policy applies:

#### Mayor's Appointments:

1. Board of Library Trustees
2. Community and Police Relations Commission
3. Housing Advisory Committee
4. Park, Recreation and Senior Citizens Advisory Committee
5. Public Art Committee
6. Sweetwater Authority
7. Traffic Safety Committee
8. Veterans and Military Families Advisory Committee

#### City Council Appointments:

1. Civil Service Commission
2. Planning Commission
3. Port Commission

### POLICY

#### Appointment Process

- A. Opportunity to apply. All interested individuals shall be given an opportunity to submit applications for vacancies on City Boards, Commissions, and Committees. Incumbent Appointees are not automatically re-appointed but are required to fill out an abbreviated application provided by the City Clerk, indicating their interest in continuing to serve.
- B. Unexpired terms. If an incumbent Appointee was appointed to fill an unexpired term and the Appointee serves for less than one year in that position. In that case, the Council may re-appoint the incumbent without considering other applicants.
- C. Vacancies. When vacancies occur, the following procedure shall be followed:
  1. Schedule vacancy. When a term is expiring or expires, public notice of the vacancy shall be made, inviting interested individuals to submit applications for the vacancy on a form provided by the City Clerk on the City website.

**ADOPTED: June 17, 1986****AMENDED: February 2, 2021**

2. **Unscheduled vacancy.** An unscheduled vacancy shall be filled according to Government Code Section 54974, which generally provides as follows: Whenever an unscheduled vacancy occurs, whether due to resignation, death, termination, or other causes, a special vacancy notice shall be posted in the office of the City Clerk, the City website, outside City Hall on the Bulletin Board and City social media platforms.

Not earlier than twenty (20) days before or not later than twenty (20) days after the vacancy occurs. The City Council shall not make final appointment for at least ten (10) working days after posting the notice in designated locations. The notice's posting and application period shall be thirty (30) calendar days. However, if it finds that an emergency exists, the City Council may, fill the unscheduled vacancy immediately. According to this section, a person appointed to fill the vacancy shall serve only on an interim basis until the final appointment.

3. **Government Code Section 40605, and National City Municipal Code Title 16, grants the Mayor, with the City Council's approvals, the authority to make all appointments unless otherwise explicitly provided by statute. The exceptions are:**
  1. Civil Service Commission
  2. Port Commission
  3. Planning Commission

The City Council fills vacancies on these bodies.

- D. **Implementation.** Implementation of Council policy for appointment to Boards, Commissions, and Committees requires the following:
  1. **Per Government Code Section 54972, on or before December 31 of each year, the City Council shall prepare a list of appointments of all regular and ongoing boards, commissions, and committees appointed by the City Council. The City Clerk will prepare the list of all regular and ongoing boards, commissions, and committees appointed by the Mayor or the City Council. The list shall contain, a list of all terms that will expire during the next calendar year, the incumbent appointee's name, the appointment date, the terms expiration date, and the position's necessary qualifications. It shall also include a list of all boards, commissions, and committees whose members serve at the City Council's pleasure, and the qualifications required for each position. This Local Appointments List shall be made available to the public on the City website.**
  2. **Notice.** Placement of a public notice in the adjudicated newspaper the City uses for legal noticing advertising appointive vacancies, the City website, City Hall Bulletin Board, and City social media platforms.

**ADOPTED: June 17, 1986****AMENDED: February 2, 2021**

3. Expiration of term. All appointees will receive a letter as their terms expire asking if they would like to re-apply for the position;
4. Applications. Available on the City website and in the City Clerk's Office. Submission must be before the advertised deadline for consideration for the current appointment. All applications will be retained in the City Clerk's Office for one-year from submitting an application to be considered for other vacancies on Boards, Commissions, and Committees as marked on the application. The City Clerk's Office will notify the applicant being considered for an appointment to confirm that they are still interested in volunteering.
5. A member may only serve on one (1) Board, Commission, or Committee at a time. If applying for another position on a different Board, Commission, or Committee that applicant will forfeit the prior seat, and a vacancy will occur per policy.
6. Interviews:
  - a. Mayor Appointments: Interviews for Mayoral appointments will be conducted by the Mayor outside of the public meeting and scheduled by the Mayor's Office.
  - b. City Council Appointments: Interviews for the three (3) Civil Service, Planning and Port Commissions who serve at the City Council's pleasure and are appointed by the City Council as a body will be interviewed in the public forum at a City Council Meeting as described below.
7. Mayoral Appointments:

The Mayor will make the motion to appoint (naming the appointee) and Councilmembers may second the motion. The City Clerk will then take a roll call vote of the City Council. A majority vote of the City Council will be required for the appointment. If, the majority of the City Council choose to deny the proposed appointment, at which point the Mayor would propose an alternative candidate from the current application pool, or could choose to reopen the application period and return to City Councils with a different applicant for consideration. If Mayor Appointment is not approved by the majority of the City Council by confirmation, that applicant is removed from the pool for that seat. The Mayor will return to a future meeting with a substitute Mayoral appointment.
8. For City Council Appointments, the Interview Process is as follows:
  - a. The City Clerk will provide an overview of the Board,

**ADOPTED: June 17, 1986****AMENDED: February 2, 2021**

Commission and Committee (s) with current vacancy, the Mayor will introduce the applicant and the two (2) questions will be asked of each applicant on behalf of the City Council.

- b. Each applicant is given two (2) minutes to make a brief introduction of themselves and their qualifications to the City Council.
  - c. Mayor and City Councilmembers will ask questions of each applicant. All applicants must be asked the same questions.
  - d. Total time per applicant is five (5) timed minutes with a few minutes for clarification. No more than ten (10) minutes total per applicant.
  - e. All appointments and interviews before the City Council will be scheduled as needed to fill unexpected vacancies, with every effort to be made before an individual's term expires. Interviews may take place at one meeting, with appointments made at a subsequent meeting.
9. Vacancies for City Council Appointed Positions. If the vacancy is for a Council appointed position, and there is more than one (1) applicant for a given position, the voting process will proceed as follows: Once the interviews are complete, each Councilmember votes for their choice via a written ballot provided by the City Clerk. Each Councilmember shall print and sign their name on the ballot. All ballots shall be considered a public record and open to inspection by the public. The ballots are passed to the City Clerk who announces the number of votes for each candidate.

If, the appointment process is conducted via a virtual meeting the process is the same except the ballot/vote process. The City Clerk's Office will provide a Vote Sheet (a piece of paper electronically) with each applicants name to be considered. The Mayor will count to three (3) and the Council will hold their vote sheet up in front of their face to make sure it is captured on the camera during live virtual meeting. The City Clerk will tally the votes and will then confirm the votes with a verbal roll call. The applicant with the most votes is appointed.

If meeting is held "in person" no changes to current process will be made for votes.

In the event of a tie, each Councilmember votes again until one (1) candidate has the majority vote, and is declared to be the newly appointed.

10. Re-appointment beyond two terms. Anyone wishing to be re-appointed to any Board, Commission, or Committee, and has served two or more full terms already,

must be approved by a four-fifths vote of the Council., If all five members of the Council are not present or if one member abstains or recuses their vote, the four-fifths requirement would be changed to require only a simple majority.

11. Report to Council:

All applications received for vacancies no matter Mayoral Appointment or City Council Appointment will be attached to the staff report to Council. All applications will have private personal information redacted (name, street numbers and name of street address, and phone number). This redacted information is in alignment with law, Under Government Code Section 6255(a) personal contact information is exempt, and has been withheld on some documents. Personal information being withheld is in the interest of the applicant and their right to privacy which outweighs the public interest of disclosure.

12. An automatic vacancy upon becoming a Non-Resident. An unscheduled vacancy automatically occurs when a resident holding an appointment position on a City Board, Committee or Commission becomes a non-resident by moving out of National City limits. When an unscheduled vacancy occurs due to a resident becoming a non-resident, the unscheduled vacancy may be filled as follows:

- a. A special vacancy notice shall be posted in the Office of the City Clerk and the National City Library, and in other places as directed by the City Council, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final Appointment at a City Council Meeting, shall not be made by the Appointing Authority for at least 10 working days after the posting of the notice in the City Clerk's Office.
- b. The Appointing Authority may appoint the former resident to a Non- Residential position if a Non-Residential position is vacant.

However, the Appointing Authority may, if it finds that an emergency exist, fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section.

13. Only City Residents may be elected to Chair, and Vice-Chair positions. To be eligible to be elected as the Chairperson of a City Board, Committee or Commission, the member must be a resident of the City.

**Appointing Authority**

**Related Policy References**

Government Code Section 40605

Government Code section 54970, et seq.

National City Municipal Code Title 16 (pending)

**Prior Policy Amendments: May 19, 2020**

## BOARDS/COMMISSION/COMMITTEES

BOARDS, COMMISSION AND COMMITTEES (11)  TOTAL MEMBERS (51+)	BOARD OF LIBRARY TRUSTEE  (5 Members)	CIVIL SERVICE COMMISSION  (5 Members)	COMMUNITY AND POLICE RELATIONS COMMISSION  (8 Members)	PARK, RECREATION AND SENIOR CITIZENS' ADVISORY COMMITTEE  (7 Members)	PLANNING COMMISSION and HOUSING ADVISORY COMMITTEE  (7 Members) 2 Ex Officio	PORT COMMISSION  (1 Member)	PUBLIC ART COMMITTEE  (5 Members)	SWEETWATER AUTHORITY  (1 Member)	TRAFFIC SAFETY COMMITTEE  (5 Members)	VETERAN'S AND MILITARY FAMILIES ADVISORY COMMITTEE  (7 Members)
<b>TERM</b>	3 Years	5 Years	3 Years	3 Years	4 Years	3 Years	3 Years	1 Year	3 Years	4 Years
<b>RESIDENCY REQUIREMENT</b>	Yes	Yes	5 Resident up to 2 Non-Resident (1) Non-Voting Member	Yes	Yes	Yes	No	n/a	Yes	5 Resident up to 2 Non-Resident
<b>VOTER REQUIREMENT</b>	No	No	No	No	No	No	No	No	No	No
<b>MAYORAL APPOINTMENT SUBJECT TO CONFIRMATION BY THE CITY COUNCIL</b>	X		X	X	Compensation set by Council Resolution		X	X	X	X
<b>CITY COUNCIL AS A BODY APPOINTMENT</b>		X			X	X				
<b>COMPENSATION</b>	No	No	No	No	No	No	No	No	No	No
<b>FORM 700 FILING REQUIREMENT</b>	Yes	Yes	Yes	No	Yes	n/a	No	n/a	No	No
<b>MEETINGS</b>	1 X per month	1X every other month	1X every 3 months	1X every 2 months	2X per month	n/a	1X per quarter	n/a	1X per month	1X per quarter
<b>REQUIRED TO REPORT TO COUNCIL ANNUALLY</b>	Yes, on or before August 31st and to the State Librarian	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>OTHER</b>		Can not be salaried employee or holds office of the City								

CITY COUNCIL POLICY #107 and NCMC TITLE 16

\*\*Effective February 2, 2020 all Chair and Vice-Chairs are required to be NC Residents

The following page(s) contain the backup material for Agenda Item: [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/06/21

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES OR RESOLUTIONS THAT ARE HAVING A PUBLIC HEARING CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES OR RESOLUTIONS SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: [Approval of Meeting Minutes: Virtual Regular City Council Meetings Minutes: February 16, 2021, March 2, 2021, Virtual Special City Council Meeting Minutes: September 12, 2020, September 19, 2020, February 16, 2021. \(City Clerk\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_\_

04-06-2021

## APPROVAL OF MEETING MINUTES

### **Virtual Regular City Council Meetings Minutes:**

February 16, 2021

March 2, 2021

### **Virtual Special City Council Meeting Minutes:**

September 12, 2020

September 19, 2020

February 16, 2021

(City Clerk)



## MINUTES OF THE VIRTUAL REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY

February 16, 2021

This meeting was conducted utilizing teleconferencing consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

### **A. CITY COUNCIL**

#### **CALL TO ORDER**

The meeting was called to order at 6:02 p.m. by Mayor Sotelo-Solis.

#### **ROLL CALL**

Councilmembers present: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell, Chapel, Gilman, Williams, Davies, Meteau, Denham, Duong, Vergara, Aguirre, Yano, Parra, Barrera, and Tellez.

#### **PLEDGE OF ALLEGIANCE TO THE FLAG**

Councilmember Rios led the Pledge of Allegiance

Mayor Sotelo-Solis reported that the meeting would be adjourned in memory of a long time resident and active community volunteer Vince Reynolds. Mr. Reynolds wife Sandy commented on her husband and his love of the community.

#### **PUBLIC COMMENTS:**

Four (4) public comments received: David Ozua (code enforcement), Nancy Estolano (in support of local cannabis business), Peggy Walker (in opposition of marijuana), and Terri-Ann Skelly (in opposition of marijuana). Read into the record by City Clerk Molina.

#### **PROCLAMATIONS AND CERTIFICATES**

1. National City Celebrates Black History Month.

Mayor Sotelo-Solis presented the proclamation to Ken Seaton-Msemaji and Fahadi Jeffers in celebration of Black History Month in National City.

2. National City Celebrates the Retirement of Southwestern College Superintendent, Dr. Kindred Murillo.

Mayor Sotelo-Solis presented the proclamation to Dr. Kindred Murillo.

#### **AWARDS AND RECOGNITIONS**

3. Introduction of New Employee - Jennifer K. Gilman, Deputy City Attorney.

Mayor Sotelo-Solis introduced City Attorney Bell who provided the resume and introduction for Deputy City Attorney Jennifer K. Gilman.

4. Introduction of New Employee - Myra Martinez, Housing Programs Specialist II.

Mayor Sotelo-Solis introduced Director of Housing Aguirre who provided the resume and introduction for Housing Programs Specialist Myra Martinez.

## PRESENTATIONS

5. Plaza Bonita Update.

Mayor Sotelo-Solis introduced Unibail-Rodamco-Westfield Representatives Susana Sandoval-Young, U.S. Manager of Community Relations and Government Affairs, and Jessica O'Brien, General Manager.

Sandoval-Young and O'Brien gave a PowerPoint presentation to highlight the safety measures in place at Plaza Bonita mall, as well as new services for guests, and future community activities. They also reported on the ongoing adherence to safety standards for employees and guests, per COVID-19 regulations.

## INTERVIEWS / APPOINTMENTS

6. Appointments City Boards, Commissions, and Committees - Mayor Appointments.

Mayor Sotelo-Solis introduced City Clerk Molina who read the steps for the appointment process per the City Council Policy #107.

Public Comment: None

ACTION: Mayor Sotelo-Solis motioned to appoint Mike Richards to the Park, Recreation, & Senior Citizens Advisory Committee for a term ending 09/30/2021, seconded by Councilmember Rios. Motion carried by unanimous vote.

ACTION: Mayor Sotelo-Solis motioned to appoint Ignacio Navarro Jr. to the Park, Recreation, & Senior Citizens Advisory Committee for a term ending 01/01/2023, seconded by Councilmember Rios. Motion carried by unanimous vote.

ACTION: Mayor Sotelo-Solis motioned to appoint Liliana Armenta to the Park, Recreation, & Senior Citizens Advisory Committee for a term ending 01/01/2023, seconded by Councilmember Bush. Motion carried by unanimous vote.

ACTION: Mayor Sotelo-Solis motioned to appoint Jose "Pepe" Gonzales to the Public Art Committee for a term ending 09/30/2021, seconded by Councilmember Bush. Motion carried by unanimous vote.

ACTION: Mayor Sotelo-Solis motioned to appoint Jose A. Lopez to the Public Art Committee for a term ending 09/30/2022, seconded by Councilmember Rios. Motion carried by unanimous vote.

ACTION: Mayor Sotelo-Solis motioned to appoint Cheryl A. Owolabi to the Veterans & Military Families Advisory Committee for a term ending 09/30/2022, seconded by Councilmember Bush. Motion carried by unanimous vote.

**REGIONAL BOARDS AND COMMITTEE REPORTS**

Councilmember Rios reported that the San Diego County Water Authority welcomed their new Assistant General Manager Tish Berge. Also, the Sweetwater Authority Board welcomed new members and selected their Chairperson and Vice-Chairperson.

Councilmember Morrison reported that the Regional Solid Waste Association will meet again next quarter.

Councilmember Bush reported on the South County Economic Development Council, including vaccine rollouts and a new housing project in Chula Vista.

Mayor Sotelo-Solis announced that Councilmember Bush is now appointed to the San Diego Air Pollution Control District (APCD).

Vice-Mayor Rodriguez provided an update on the ongoing efforts by the League of California Cities (LCC) to acquire funding from the federal stimulus package.

Mayor Sotelo-Solis reported that the San Diego Association of Governments (SANDAG) has appointed her as 2<sup>nd</sup> Vice-Chairperson for the board. She is also now the Chairperson for the Public Safety Committee.

**CONSENT CALENDER**

*Councilmember Rios pulled Item 10 and Item 11 from the Consent Calendar for discussion.*

Public Comment: None

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Morrison, to approve the Consent Calendar Items 7 through 9 and 12 through 17. Motion carried by unanimous vote.

7. Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only.
8. Approval of the Minutes of the Regular Meetings of the City Council and Community Development Commission - Housing Authority of the City of National City of 12-15-2020 and Regular Meeting Minutes of the Successor Agency to the Community Development Commission for 12-15-2020.
9. Adopted Resolution No. 2021-09. Resolution of the City Council of the City of National City ratifying the Agreement between the City of National City and Dean Gazzo Roistacher LLP for legal services in the specialized area of General Civil Litigation Defense arising from Government Claims for the total not to exceed amount of \$75,000.00 per case and approving the City Attorney's execution of same.
12. National City Sales Tax Update Newsletter – Third Quarter 2020.
13. Investment Report for the quarter ended September 30, 2020.

14. Investment transactions for the month ended October 31, 2020.
15. Investment transactions for the month ended November 30, 2020.
16. Ratified Warrant Register #28 for the period of 1/06/21 through 1/12/21 in the amount of \$1,471,325.17.
17. Ratified Warrant Register #29 for the period of 1/13/21 through 1/19/21 in the amount of \$714,136.66.

**ITEMS PULLED FROM CONSENT CALENDER**

10. Adopted Resolution No. 2021-10. Resolution of the City Council of the City of National City finding APR Construction, Inc. in default of the contract for the Civic Center ADA Accessibility Project, CIP No. 19-45 for materially violating the contract provisions by providing false information, consistent with Section 6.4.1 of the contract documents.

Councilmember Rios asked about the safeguards in place to prevent a future default of a contract. Director of Public Works Yano provided responses for Council.

Public Comment: One (1) public comment received from Margaret Godshalk (in support of a licensed librarian). Read into the record by City Clerk Molina.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Morrison, to adopt the Resolution. Motion carried by unanimous vote.

11. Adopted Resolution No. 2021-11. Resolution of the City Council of the City of National City creating three new job classifications and amending the Executive and Management Classification and Compensation Schedules.

Councilmembers asked questions of Staff regarding the cost savings created by the new job classifications. City Manager Raulston provided responses for Council.

Public Comment: One (1) public comment received from Margaret Godshalk (in support of a licensed librarian). Read into the record by City Clerk Molina.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Morrison, to adopt the Resolution. Motion carried by unanimous vote.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

18. Introduction and first reading of an Ordinance to require electronic submittal of campaign disclosure statements and Form 700 filings.

Mayor Sotelo-Solis read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced City Clerk Molina, who provided an overview and introduced Deputy City Clerk Chapel, who gave the report along with a PowerPoint presentation.

Public Comment: None

**ACTION:** Motion by Councilmember Morrison, seconded by Vice-Mayor Rodriguez, to hear the introduction of the Ordinance. Motion carried by unanimous vote, to return to the March 2 City Council Meeting for the second reading and adoption of the Ordinance.

### **NON CONSENT RESOLUTIONS**

19. Adopted Resolution No. 2021-12. Resolution of the City Council of the City of National City: 1) ratifying the execution of the Age Friendly Communities Program Grant Agreement by the City Manager, an Agreement between the City of National City and The San Diego Foundation in the amount of \$50,000 for Senior Saturdays at Kimball Park, with no matching funds required; 2) and authorizing the establishment of a Reimbursable Grants Citywide Fund appropriation of \$50,000 and corresponding revenue budget.

Mayor Sotelo-Solis read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Acting Director of Community Services Denham, who gave the report and PowerPoint presentation.

Public Comment: None

**ACTION:** Motion by Councilmember Morrison, seconded by Councilmember Rios, to adopt the Resolution. Motion carried by unanimous vote.

### **NEW BUSINESS**

20. Update on the development of the Age-Friendly Community Plan for National City.

Mayor Sotelo-Solis introduced Director of Housing Aguirre who introduced Jana Schwartz, Senior Planner with Circulate San Diego, and Joe Garbanzos, Executive Councilmember with AARP-California. Garbanzos provided an overview of the partnership between AARP and National City. Schwartz provided a report and PowerPoint presentation.

Public Comment: None

**ACTION:** Motion by Councilmember Morrison, seconded by Councilmember Rios, to accept the update. Motion carried by unanimous vote.

Received and Filed Report.

### **B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY**

No agenda items.

### **C. REPORTS**

#### **STAFF REPORTS**

21. Update on COVID-19 Housing Related Programs and Assistance.

Director of Housing Aguirre provided a report and PowerPoint presentation on tenant protections and rental relief programs that are soon to be implemented.

Received and Filed.

## 22. City Manager Report.

City Manager Raulston reported on community outreach efforts to gather design ideas for Kimball Park to support a Prop 68 grant request. He also provided an update on the regional availability of the COVID-19 vaccine. He stated that the vaccine site at MLK Community Center remains operational and at full capacity.

Received and Filed.

## MAYOR AND CITY COUNCIL

City Clerk Molina announced a vacancy on the Traffic Safety Committee. Potential Members may apply through February 17, 2021, 5:00 p.m. via the City Clerk's office.

City Treasure Beauchamp encouraged the Council to review the City's spending trends.

Councilmember Bush had no items to report.

Councilmember Rios thanked Director Yano and the Public Works staff for their recent efforts to resolve residents' concerns.

Councilmember Morrison had no items to report.

Vice-Mayor Rodriguez brought attention to the push to increase wages for working families at the national level.

Mayor Sotelo-Solis thanked Staff for their efficiency. She mentioned that the City continues to strive to bring more COVID-19 vaccines to residents of National City.

## CLOSED SESSION HELD AT SPECIAL MEETING AT 5:00 P.M. HELD PRIOR TO REGULAR MEETING

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:  
Existing Litigation under Government Code Section 54946.9(d)(1)  
Tammy Davis v. City of National City et. al.  
Case No. 19-CV-534-BEN-BGS

## CLOSED SESSION REPORT

City Attorney Bell stated his report from the Closed Session. Pursuant to California Government Code 54957.1, by a unanimous vote, the direction was given by the City Council in the legal action titled Tammy Davis v. City of National City. The case involves a Section 1983 Civil Rights Act claim arising from an in-custody death.

## ADJOURNMENT

Mayor Sotelo-Solis adjourned in memory of long-time resident and volunteer Vince Reynolds. The meeting to the next Virtual Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, March 2, 2021, at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting adjourned at 8:45 p.m.

---

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of April 6, 2021.

---

Alejandra Sotelo-Solis, Mayor

DRAFT



**MINUTES OF THE VIRTUAL REGULAR MEETING OF THE  
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**March 2, 2021**

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. The Agenda Items were considered in the order presented.

**A. CITY COUNCIL**

**CALL TO ORDER**

The meeting was called to order at 6:01 p.m. by Mayor Sotelo-Solis.

**ROLL CALL**

Councilmembers present: Bush, Morrison, Rios, Rodriguez, and Sotelo-Solis

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell, Chapel, Gilman, Williams, Davies, Meteau, Denham, Duong, Vergara, Aguirre, Yano, Barrera, Parra, Tellez, and Palma.

Interpretation in Spanish provided by Carlos Diaz.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Councilmember Morrison led the Pledge of Allegiance.

**PUBLIC COMMENTS**

City Clerk Molina read the process for acceptance of live public comment via teleconference into the record.

Two (2) public comments were heard: Linda Pardy (encouraging native plants for city landscaping), and Lynn Steinberg (addressing homelessness in the city).

One (1) written comment was received: Joan Rincon (ARTS rent obligation).

**PROCLAMATIONS AND CERTIFICATES**

1. National City Celebrates the Partnership with Last Mile San Diego, Ironworkers local 229, Teamsters local 542, Second Chance Program and Murphy's Produce with a Purpose; to provide free PPE (Personal Protective Equipment) to the residents and businesses of National City.

Mayor Sotelo-Solis presented the Proclamation to Dr. Amy Aminlari, representing Last Mile San Diego, and Johnny Swanson, representing Ironworkers local 229. She also acknowledged key individuals who made this effort possible.

**Public Comment:**

One (1) public comment was heard: Alan Kenny (representing Last Mile San Diego, thanked Mayor Sotelo-Solis for this acknowledgement).

**AWARDS AND RECOGNITIONS**

No agenda items.

**PRESENTATION**

No agenda items.

**INTERVIEWS / APPOINTMENTS**

2. Appointments City Boards, Commissions, and Committees - Mayor Appointments.

Mayor Sotelo-Solis introduced City Clerk Molina who read the appointment process into the record.

Public Comments: None

**ACTION:**

Mayor Sotelo-Solis motioned to appoint Moon Coyote to the Library Board of Trustees for a term ending 09/30/2021, seconded by Councilmember Rios. Motion carried by unanimous vote.

Mayor Sotelo-Solis motioned to appoint Marisa Rosales to the Traffic Safety Committee for a term ending 09/30/2021, seconded by Councilmember Bush. Motion carried by unanimous vote.

Mayor Sotelo-Solis motioned to appoint Paula Gapp as alternate to the Library Board of Trustees for a term ending 09/30/2021, seconded by Councilmember Bush. Motion carried by unanimous vote.

**REGIONAL BOARDS AND COMMITTEE REPORTS**

Councilmember Rios reported that San Diego County Water Authority distributed a rebate to the 24-member agencies. The Sweetwater Authority received \$874,367.74 of the rebate to benefit rate payers. Also, the Sweetwater Authority completed a controlled water transfer last January, resulting in a savings to consumers.

Councilmember Morrison reported that the Regional Solid Waste Association will meet next quarter.

Councilmember Bush reported on the business of the South County Economic Development Council including the annual summit planned for 2021 and the focus on COVID-19 relief efforts.

Vice-Mayor Rodriguez announced that the Joint Powers Authority will meet next in April 2021.

Mayor Sotelo-Solis provided an update on San Diego Association of Governments (SANDAG) business and the support for binational efforts alongside Tijuana Mayor Karla Ruiz MacFarland.

Commissioner Sandy Naranjo reported on the Board of Port Commissioners and matters pertaining to National City Tidelands and San Diego Tidelands, including environmental justice initiatives that are advancing.

## **CONSENT CALENDAR**

Public Comment: None

ACTION: Motion by Councilmember Rios, seconded by Councilmember Bush, to approve the Consent Calendar Items 3 through 6. Motion carried by unanimous vote.

3. Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only.
4. Approval of Meeting Minutes: City Council and Community Development Commission - Housing Authority of the City Of National City: Virtual Regular Meeting: January 19, 2021; and City Council of the City Of National City: Virtual Special Meeting; and January 19, 2021 Virtual Special Meeting; and January 26, 2021 Joint Special Meeting of the City Council and Community Development Commission; and Housing Advisory Committee: Virtual Special Joint Meeting January 26, 2021.
5. Ratified Warrant Register #30 for the period of 1/20/21 through 1/26/21 in the amount of \$2,266,130.76.
6. Ratified Warrant Register #31 for the period of 1/27/21 through 2/02/21 in the amount of \$1,718,495.28.

## **PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

7. Second reading and adoption of an Ordinance No. 2021-2486, entitled, "Ordinance of the City Council of the City of National City to require electronic submittal of Campaign Disclosure Statements and Form 700 filings."

City Clerk Molina read the title of the Ordinance into the record.

Mayor Sotelo-Solis declared the Public Hearing open at 6:44 p.m.

Public Comment: None

ACTION: Motion by Councilmember Morrison, seconded by Councilmember Rios, to close the Public Hearing at 6:44 p.m. Motion carried by unanimous vote.

ACTION: Motion by Councilmember Rios, seconded by Councilmember Morrison, to adopt the Ordinance. Motion carried by unanimous vote.

8. Introduction and first reading of an Ordinance of the City Council of the City of National City adding National City Municipal Section 9.60 to regulate commercial cannabis.

City Clerk Molina read the title of the Ordinance into the record.

Mayor Sotelo-Solis introduced City Manager Raulston and Economic Development Specialist Megan Gamwell. City Manager Raulston invited Tim Cromartie, Senior Advisor with Cannabis Policy at HdL Companies, to join the discussion. Raulston, Gamwell and Cromartie gave the Staff report and PowerPoint presentation.

Mayor Sotelo-Solis declared the Public Hearing open at 7:01 p.m.

Public Comments:

Twelve (12) public comments were heard. Speakers in opposition: Barbara Gordon, Becky Rapp, Carol Green, Kelly McCormick, and Margaret Godshalk. Speakers in support: Chad Matkowski, Cynara Velazquez, Katelyn Hailey, Kristin Heidelberg, Laura Wilkinson Sinton, Matthew Nathaniel, and Jessica McElfresh.

Four (4) written comments were received. Commenters' in opposition: Ted Godshalk, Joan Rincon. Commenters' in support: Nancy Estolano, Robert Moreno.

ACTION:

Motion by Councilmember Bush, seconded by Vice-Mayor Rodriguez, to close the Public Hearing at 7:29 p.m.

Ayes: Bush, Rios, Rodriguez, Sotelo-Solis

Nays: Morrison

Motion passed by 4-1 vote.

Motion by Vice-Mayor Rodriguez, seconded by Mayor Sotelo-Solis, to accept the Ordinance as presented.

Substitute Motion by Councilmember Bush, seconded by Vice-Mayor Rodriguez, to amend Section 9.60.070: Location and Design of Cannabis Businesses, and to add retail and expand to Commercial and Mixed Use zones specifically to Major Mixed Use Corridor (MXC2) and Major Mixed Use District (MXD2).

Ayes: Bush  
Nayes: Morrison, Rios, Rodriguez, Sotelo-Solis  
Motion failed by 1-4 vote.

Substitute Motion by Councilmember Morrison, seconded by Councilmember Rios to cease further discussion and return to a future meeting to allow a workshop to be called, with questions sent to staff from members of the City Council for clarification, to be addressed at said workshop.

Vice-Mayor Rodriguez presented motion as friendly amendment, Councilmember Morrison accepted to limit the workshop to discuss specifically zoning, and what would be allowed in those zones. City Attorney Bell asked Councilmember Rios if she would agree to that amendment. Councilmember Rios rescinded her second.

Motion died for lack of a second.

Original Substitute Motion by Councilmember Morrison, seconded by Councilmember Rios, to cease further discussion and return to a future meeting, to allow for a workshop to be called with questions sent to staff from members of the Council for clarification, to be addressed at said workshop.

Ayes: Morrison, Rios  
Nayes: Bush, Rodriguez, Sotelo-Solis  
Motion failed by 2-3 vote.

Mayor Sotelo-Solis called for a recess at 8:22 p.m. and reconvened at 8:41 p.m. with all Councilmembers present.

Substitute Motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, to discuss “Section 9.60.110: Evidence of Cannabis Owner(s), Representative(s), and Employee(s) Background Check Required, to remove Subsections (b)(2) and (b)(3).”

Councilmember Bush rescinded his second.  
Motion was withdrawn by the maker.

Mayor Sotelo-Solis allowed Councilmembers to ask clarifying questions regarding the Ordinance. City Manager Raulston, Economic Development Specialist Gamwell and Consultant Cromartie respond to Councilmembers questions.

Substitute Motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, to modify “Section 9.60.110: Evidence of Cannabis Owner(s), Representative(s), and Employee(s) Background Check Required, Subsection 3(d)”, and to modify “shall” to “may.” To read “violation of this section may be grounds for immediate suspension of the business license.” Friendly amendment by Councilmember Morrison to include subsections 3 (c) and (d). Councilmember Bush who seconded agreed with friendly amendment.

Ayes: Bush, Morrison, Rodriguez, Sotelo-Solis  
Motion carried by unanimous vote.

Substitute Motion by Vice-Mayor Rodriguez seconded by Councilmember Bush, Removing or striking from “Section 9.60.120: Persons Prohibited from Holding a Commercial Cannabis License, Subsection (a)(3)”, the language, “applicant was conducting or had conducted Cannabis activity in the City of National City in violation of local and/or state law.” Friendly amendment to add Prop 64 to be added “persons prohibited prior to 2016 or after

enactment of Prop 64.” Language to read in Section 9.60.120(a)(3), “Persons prohibited from holding a commercial cannabis license, section (a)(3) applicant was conducting or had conducted Cannabis activity in the City of National City in violation of local and/or state law prior to 2016 or after the enactment of Prop 64.” Councilmember Bush who seconded agreed with friendly amendment.

Ayes: Bush, Rodriguez

Nays: Morrison, Rios, Sotelo-Solis

Motion failed by 2-3 vote.

Substitute Motion by Councilmember Bush, seconded by Councilmember Morrison, regarding “Section 9.60.120: Persons Prohibited from Holding a Commercial Cannabis License, Subsection (a)(3)”, adding the language “not including cannabis-related offenses for which the conviction occurred after the passage of National City law prohibiting cannabis as a business (2012).”

Ayes: Bush, Morrison, Rodriguez, Sotelo-Solis

Nays: Rios

Motion carried by 4-1 vote.

Substitute Motion by Vice-Mayor Rodriguez

To remove Subsections (a)(2) and (a)(3), “Section 9.60.130: Persons Prohibited from Employment by a Commercial Cannabis Business,” Striking evidence the person is delinquent of federal, state or local taxes and person was conducting or had conducted Cannabis activity in the City of National City in violation of local and/or state law.

Motion died for lack of a second.

Substitute Motion by Councilmember Morrison, seconded by Councilmember Rios, to remove “Section 9.60.130: Persons Prohibited from Employment by a Commercial Cannabis Business, Subsection (a)(2)”, and to add the word “Commercial”, to read “Evidence the person is delinquent of “commercial” “federal, state or local taxes”.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Nays: Rios

Motion carried by 4-1 vote

Substitute Motion by Councilmember Morrison, seconded by Vice-Mayor Rodriguez, “Section 9.60.130: Persons Prohibited from Employment by a Commercial Cannabis Business, Subsection (a)(3)”, and to add the language “not including cannabis-related offenses for which the conviction occurred after the passage of National City law prohibiting cannabis as a business (2012).”

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Nays: Rios

Motion carried by 4-1 vote.

Substitute Motion by Councilmember Morrison, seconded by Vice-Mayor Rodriguez, to allow consumption lounges in “Section 9.60.070: Location and Design of Cannabis Businesses”, and to strike Subsection (b), and to add the language concerning the location of consumption lounges into the lead paragraph and Section (a).

Ayes: Morrison

Nays: Bush, Rios, Rodriguez, Sotelo-Solis

Motion failed by 1-4 vote.

*Mayor Sotelo-Solis reminded the City Council of Policy #104 that requires the City Council Meeting be adjourned no later than 10:30 p.m. unless extended by Council vote.*

*Motion by Councilmember Bush, seconded by Councilmember Rios, to continue the meeting past the 10:30 p.m. time, with a 10 minute break at 11:00 p.m.*

*Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis*

*Motion carried by unanimous vote.*

Substitute Motion by Councilmember Bush, seconded by Councilmember Rios, regarding “Section 9.60.230: General Operating Requirements for all Commercial Cannabis Businesses, Subsection (g)(2) Minors”, removing the language “physician’s recommendation,” and to add “State-issued cannabis medical card.”

Ayes: Bush, Morrison

Nays: Rios, Rodriguez, Sotelo-Solis

Motion failed by 2-3 vote.

Substitute Motion by Councilmember Bush, regarding “Section 9.60.070: Location and Design of Cannabis Businesses”, to allow retail Major Mixed Use Corridor (MXC2) and Major Mixed Use District (MXD2), allow zoning to include a map for discussion at the April 6, 2020 City Council Meeting.

Motion died for lack of a second.

Substitute Motion by Mayor Sotelo-Solis, seconded by Councilmember Bush, regarding “Section 9.60.100: Development Agreement”, asking staff to bring back additional information regarding social equity, boiler plate or template language as a starting point to in order to address the portion of the Development Agreement that will protect and promote the social equity; regarding the application process. This can be discussed in a workshop setting for discussion.

Councilmember Bush made a friendly amendment to motion to add language “including but not limited to PLAs, local hires, day care centers, partnerships with educational institutions”, and to include an exhaustive list of groups to add as potential applicants. Staff to determine a date certain for workshop at the April 6 meeting.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Motion carried by unanimous vote.

*Mayor Sotelo-Solis called for a recess at 11:00 p.m. and reconvened at 11:11 p.m. with all Councilmembers present.*

Substitute Motion by Mayor Sotelo-Solis, seconded by Councilmember Bush, to remove “Section 9.60.230: General Operating Requirements for all Commercial Cannabis Businesses, Subsection (o)”, and to strike Subsection (o) in its entirety.

Motion was withdrawn by the maker.

Substitute Motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, to modify “Section 9.60.420: Transfer of Cannabis Business Permit, Subsection”, and to include that labor agreements must be upheld by new owners, and add that the permits must be held for at least one year before transfer.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Motion carried by unanimous vote.

Mayor Sotelo-Solis made a friendly amendment to bifurcate motion, maker does not agree to bifurcate original motion.

Substitute Motion by Councilmember Morrison, seconded by Councilmember Rios, to add language to , “Section 9.60.070: Location and Design of Cannabis Businesses, Subsection (a)(2)”, “any residentially zoned parcel or legal non-conforming residences. Motion by maker made a friendly withdrawal of motion. .

Substitute Motion by Councilmember Morrison, seconded by Councilmember Rios, to request staff to provide one map that includes all sensitive zones, and what is being proposed in the ordinance to date, to include multi-family / single-family residential areas.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Motion carried by unanimous vote.

Substitute Motion by Vice-Mayor Rodriguez, seconded by Mayor Sotelo-Solis, to amend “Section 9.60.250: Additional Operating Requirements for Store Front Retail Facilities, Subsection (g)”, extending business hours from “9:00 a.m. through 9:00 p.m.” to “8:00 a.m. through 10:00 p.m., seven-days per week”.

Mayor Sotelo-Solis rescinded her second.

Motion dies for lack of a second.

Substitute Motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, pertaining to clarification regarding the titles of “Chief of Police when paired with City Manager” are paired throughout the Ordinance.

Councilmember Rios made a friendly amendment motion to amend to add “or designee” to read “Chief of Police, City Manager or designee.”

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Motion carried by unanimous vote.

Substitute Motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, “Section 9.60.440: Promulgation of Regulations, Standards, and Other Legal Duties”, and to request a point of clarification regarding the authority of the City Manager to make changes; and to strike “may” and add “shall” in its place, in Subsection (b). Hdl Co. representative Mr. Cromartie gave the rationale in support of the language concerning the authority of the City Manager in a ministerial, administrative capacity. Maker of motion added to amend sentence from “Regulations “may” be published on the City website to “Regulations “will” be published on the City website.”

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Motion carried by unanimous vote.

Motion by Councilmember Rios, seconded by Councilmember Bush, to introduce the Ordinance as amended to return to the City Council, April 6, 2021, for the Second Reading and adoption.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Motion carried by unanimous vote.

## **NON CONSENT RESOLUTIONS**

9. Adopted Resolution No. 2021-13. Resolution of the City Council of the City of National City: 1) authorizing the filing of a Proposition 68 Statewide Park

Development and Community Revitalization Program (SPP) application for the Kimball Park Project in the amount of \$7,738,273; 2) authorizing the City Manager or designee to execute the grant agreement if selected for funding; and 3) if selected for funding, approving the establishment of an Engineering Grants Fund Appropriation of \$7,738,273 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the SPP for the Kimball Park Project.

Mayor Sotelo-Solis read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced City Manager Raulston, Director of Public Works Yano, and Director Denham, who gave the Staff report and PowerPoint presentation.

Councilmembers asked questions of staff concerning this Item. Staff provided responses.

Public Comment:

One (1) written comment received: Joan Rincon (in support).

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Rios, to adopt Resolution

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis  
Motion carried by unanimous vote.

10. Adopted Resolution No. 2021-14. Resolution of the City Council of the City of National City: 1) authorizing the filing of a Proposition 68 Statewide Park Development and Community Revitalization Program (SPP) application for the El Toyon Park Project in the amount of \$5,632,571; 2) authorizing the City Manager or designee to execute the grant agreement if selected for funding; and 3) if selected for funding, approving the establishment of an Engineering Grants Fund Appropriation of \$5,632,571 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the SPP for the El Toyon Park Project.

Mayor Sotelo-Solis read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced City Manager Raulston gave the report and PowerPoint presentation.

Public Comment: None

**ACTION:** Motion by Councilmember Morrison, seconded by Councilmember Bush, to adopt Resolution.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis  
Motion carried by unanimous vote.

## **NEW BUSINESS**

11. Time Extension Request – Tentative Subdivision Map for a 29-unit multi-unit residential project located at East 16th Street and “M” Avenue. (Applicant: Renova Properties, LLC) (Case File 2021-01 TE).

Mayor Sotelo-Solis read the title of the Item into the record.

Mayor Sotelo-Solis introduced Principal Planner Reeder who addressed questions from the Council.

Public Comment: Noel Meza (applicant).

**ACTION:** Motion by Councilmember Rios, seconded by Councilmember Morrison, to approve the Request.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis  
Motion carried by unanimous vote.

Received and Filed Report.

## **B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY**

No agenda items.

## **C. REPORTS**

### **STAFF REPORTS**

12. Update on the County of San Diego COVID-19 2021 Emergency Rental Assistance Program.

Mayor Sotelo-Solis introduced Housing Programs Manager Angelita Palma who gave an update on the COVID-19 efforts.

Received and Filed Report.

13. City Manager Report.

City Manager Raulston will provide an update on COVID-19 vaccinations via memo to City Council.

## **MAYOR AND CITY COUNCIL**

City Clerk Molina announced the vacancies in the Planning Commission and the Community and Police Relations Committee. Potential Commissioners may apply for consideration by March 17, 2021, 5:00 p.m. via the City Clerk's office.

Councilmember Morrison requested to make a motion.

Motion by Councilmember Morrison, seconded by Vice-Mayor Rodriguez, to bring back for discussion at the April 6, 2020, City Council Meeting. An Item concerning written public comments and allowing them to be read into the record during City Council Meetings.

Ayes: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Motion carried by unanimous vote.

Councilmember Rios wished Councilmember Bush “Happy Birthday”. She thanked Staff for their work and the progress gained in today’s meeting. She spoke about Sweetwater Authority services for leak problems. She also commented on the Self-Guided tour of National City that is circulating on social media, and the community activities advertised.

Vice-Mayor Rodriguez highlighted the efforts by County Supervisors to make COVID-19 vaccines available to the public. He thanked Staff for their patience and help today.

Councilmember Bush thanked Staff for their hard work and leadership in light of today’s challenges.

Mayor Sotelo-Solis expressed appreciation towards Staff for their flexibility and efforts.

**CLOSED SESSION  
CLOSED SESSION REPORT**

City Attorney Bell stated his report from the Closed Session Pursuant to California Government Code Section 54957.1, no reportable action was taken in closed session regarding the United States Department of the Interior – Fish and Wildlife Services Agency Notice of Potential Liability Claimed Against: City of National City.

**ADJOURNMENT**

Mayor Sotelo-Solis adjourned the meeting to the next Virtual Regular Meeting of the City Council and Community Development Commission-Housing Authority of the City of National City, California to be held Tuesday, March 16, 2021 at 6:00 PM via teleconference. Motion carried unanimously.

The meeting adjourned at 12:28 a.m.

\_\_\_\_\_  
City Clerk

The foregoing minutes were approved at the Regular Meeting of April 6, 2021.

\_\_\_\_\_  
Mayor



**MINUTES OF THE SPECIAL VIRTUAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF NATIONAL CITY**

**September 12, 2020**

The Special Meeting of the City Council of the City of National City was called to order at 8:00 a.m. by Mayor Alejandra Sotelo-Solis.

**ROLL CALL**

Council members present: Cano, Morrison, Quintero, Rios, Sotelo-Solis.  
Administrative Officials present: Morris-Jones

**PUBLIC COMMENTS** – None.

**CLOSED SESSION**

1. PERSONNEL MATTER- Government Code Section 54957(b)(1)  
Public Employee Position: City Attorney Recruitment – Candidate Interviews

**CLOSED SESSION REPORT:**

**ADJOURNMENT**

Next Regular City Council Meeting: Tuesday, September 15, 2020, 6:00 p.m., City Council Chambers, Civic Center – National City, California.

The meeting closed at 1:00 p.m.

---

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of April 6, 2021.

---

Alejandra Sotelo-Solis, Mayor



**MINUTES OF THE SPECIAL VIRTUAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF NATIONAL CITY**

**September 19, 2020**

The Special Meeting of the City Council of the City of National City was called to order at 9:13 p.m. by Mayor Sotelo-Solis.

**ROLL CALL**

Council present: Cano, Morrison, Quintero, Rios, Sotelo-Solis.

Administrative Officials present: Morris-Jones, Pedone, Raulston, and Winney.

**CITY COUNCIL**

**OPEN SESSION**

**PUBLIC COMMENTS** – None.

**CLOSED SESSION**

1. Personnel Matter – Government Code Section 54957(b)(1)  
Public Employee Position: City Attorney Recruitment – Candidate Interviews

*Mayor Sotelo-Solis called a recess and reconvened at 12:36 p.m. with all members present.*

**CLOSED SESSION REPORT:** None.

**ADJOURNMENT**

Motion by Council member Cano, seconded by Council member Morrison, to adjourn the meeting to the next Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency - Tuesday – October 6, 2020 - 6:00 p.m. – Council Chambers - National City, California. Carried by unanimous vote.

\_\_\_\_\_  
City Clerk

The foregoing minutes were approved at the Regular Meeting of April 6, 2021.

\_\_\_\_\_  
Mayor



MINUTES OF THE VIRTUAL SPECIAL MEETING  
OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY

February 16, 2021

This meeting was conducted utilizing teleconferencing consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

**OPEN SESSION**

**CALL TO ORDER**

The meeting was called to order at 5:30 p.m. by Mayor Sotelo-Solis.

**ROLL CALL**

Councilmembers present: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis  
Administrative Officials present: Raulston and Bell

**PUBLIC COMMENT**

None.

**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:  
Existing Litigation under Government Code Section 54946.9(d)(1)  
Tammy Davis v. City of National City et. al.  
Case No. 19-CV-534-BEN-BGS

**CLOSED SESSION REPORT**

To be presented at the end of Regular Meeting.

**ADJOURNMENT**

Mayor Sotelo-Solis adjourned the meeting to the next Virtual Regular Meeting of the City Council to be held Tuesday, February 16, 2020 at 6: p.m. via teleconference.

The meeting adjourned at 5:51 p.m.

---

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of April 6, 2021.

---

Alejandra Sotelo-Solis, Mayor

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing the Mayor to execute the Second Amendment to the Agreement between the City of National City and RMG Communications to expand the scope of the agreement to include communications specific to the City's COVID-19 outreach efforts and other communication and outreach strategic goals. \(City Manager\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the Mayor to execute the Second Amendment to the Agreement between the City of National City and RMG Communications to expand the scope of the agreement to include communications specific to the City's COVID-19 outreach efforts and other communication and outreach strategic goals. (City Manager)

**PREPARED BY:** Lauren Maxilom, Management Analyst II  
Tony Winney, Assistant City Manager

**DEPARTMENT:** City Manager's Office

**APPROVED BY:** 

**EXPLANATION:**

The City entered into an agreement with RMG Communications to strategically develop effective communications, branding and marketing strategies that encompasses the City's mission, values and culture on October 28, 2020. The City amended the original contract on February 15, 2021 to include communication and outreach efforts specific to COVID-19 within the City Manager's signing authority; however, recent federal funding made available through the American Rescue Plan Act for COVID-19 recovery and economic support will enable the City to expand the City's existing communications and community outreach.

The second amendment to the contract will help build awareness and public acceptance of the COVID-19 vaccines, including within the Spanish-speaking and Filipino communities that have been disproportionately affected by the pandemic. RMG Communications will assist us with development of community outreach strategies that educate the community on COVID-19, providing hyper-local information to our residents using social media, print, and promotional materials and a variety of other methods that will enable us to build support and trust for the vaccines. The on-call agreement in the not-to-exceed amount of \$250,000 also includes development of messaging to support website development and hiring and attraction of qualified Police and Fire candidates, among other communication activities. Expenditure of these Federal funds is contingent upon receipt of American Rescue Plan Act funding from the US Department of the Treasury, at which time staff will return to City Council with a recommended plan for full utilization of these funds.

**FINANCIAL STATEMENT:**

**APPROVED:**  **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

Staff requests an additional appropriation of \$50,000 in Fiscal Year 2020/21 to account #001-409-000-213-0000 to support existing communication efforts until American Rescue Act funding is awarded.

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:**  **FINAL ADOPTION:**

**STAFF RECOMMENDATION:**

Adopt the resolution.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. RMG Communications agreement amendment
2. Resolution

**SECOND AMENDMENT TO THE AGREEMENT  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
RMG COMMUNICATIONS**

THIS SECOND AMENDMENT TO THE AGREEMENT is entered into this 6th day of April, 2021, by and between the CITY OF NATIONAL CITY, a municipal corporation (the “CITY”), and RMG COMMUNICATIONS, a corporation (the “CONTRACTOR”).

**RECITALS**

**WHEREAS**, the CITY and the CONTRACTOR entered into an Agreement on October 28, 2020 (“the Agreement”), wherein the CONTRACTOR agreed to strategically develop effective communication, branding, and marketing strategies for a not-to-exceed amount of \$16,400 through October 28, 2022, with the option to extend this term for an additional one (1) year term. The Agreement was amended on February 15, 2021 (“First Amended Agreement”) to include communications and community outreach strategies that educate the community on COVID-19 and the COVID-19 vaccine in order to build trust and understanding about the COVID-19 vaccination as well as share hyper-local vaccine information and guidelines for receiving COVID-19 vaccines. Outreach and education deliverables shall include social media content creation, flyers/posters, media outreach, website content development, photography, videography, face sheet, e-blasts, and ad-buys to further aid in the City’s communication and outreach efforts. The first amendment increased the scope of services from the amount of \$16,400 to the not-to-exceed amount by \$32,750, for a total not-to-exceed amount of \$49,150.

**WHEREAS**, the parties desire to further expand the scope of the Agreement and First Amended Agreement to include the design, distribution and increase city-wide communication materials on topics that reinforce the City’s strategic priority to connect with the community with timely and transparent information.

**WHEREAS**, the parties desire to amend the Agreement and First Amended Agreement to cover the cost of providing the increased scope of services from the amount of \$49,150 to the not-to-exceed amount by \$200,850 for a total not-to-exceed amount of \$250,000.

**AGREEMENT**

**NOW, THEREFORE**, the parties hereto agree that:

1. The February 15, 2021 First Amended Agreement is hereby amended to cover the cost of the increased scope of services from the contract amount of \$49,150 by a not-to-exceed increased amount of \$200,850 for a total not-to-exceed amount of \$250,000.
2. The parties further agree that, with the foregoing exceptions, each and every other term and provision of the October 28, 2020 Agreement and each and every other term

and provision of the February 15, 2021 First Amended Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this Second Amendment to the Agreement on the date and year first above written.

**CITY OF NATIONAL CITY**

By: \_\_\_\_\_  
Alejandra Sotelo Solis, Mayor

APPROVED AS TO FORM:  
Jennifer K. Gilman  
Deputy City Attorney

By: \_\_\_\_\_  
Jennifer K. Gilman  
Deputy City Attorney

**RMG COMMUNICATIONS**

*(Corporation – signatures of two corporate officers required)*

By: *Rachel McGuire*  
*(Name)*  
Rachel McGuire  
*(Print)*  
President  
*(Title)*

By: *Rachel McGuire*  
*(Name)*  
Rachel McGuire, Secretary  
*(Print)*

**CONTACT INFORMATION**

**CITY OF NATIONAL CITY**  
1243 National City Boulevard  
National City, CA 91950-4397

Phone: (619) 336-4289  
Fax: (619) 336-4327  
Contact: Brad Raulston  
Title: City Manager  
Email: [BRaulston@nationalcityca.gov](mailto:BRaulston@nationalcityca.gov)

**RMG Communications**  
822 N. Stage Coach LN.  
Fallbrook, CA 92028

Phone: (760) 707-4149  
Fax: N/A  
Contact: Rachel McGuire  
Title: President/CEO  
Email: [Rachel@rmgcomm.com](mailto:Rachel@rmgcomm.com)  
Taxpayer I.D. No.: 83-0981094

**SECOND AMENDMENT TO THE AGREEMENT  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
RMG COMMUNICATIONS**

THIS SECOND AMENDMENT TO THE AGREEMENT is entered into this 6th day of April, 2021, by and between the CITY OF NATIONAL CITY, a municipal corporation (the “CITY”), and RMG COMMUNICATIONS, a corporation (the “CONTRACTOR”).

**RECITALS**

**WHEREAS**, the CITY and the CONTRACTOR entered into an Agreement on October 28, 2020 (“the Agreement”), wherein the CONTRACTOR agreed to strategically develop effective communication, branding, and marketing strategies for a not-to-exceed amount of \$16,400 through October 28, 2022, with the option to extend this term for an additional one (1) year term. The Agreement was amended on February 15, 2021 (“First Amended Agreement”) to include communications and community outreach strategies that educate the community on COVID-19 and the COVID-19 vaccine in order to build trust and understanding about the COVID-19 vaccination as well as share hyper-local vaccine information and guidelines for receiving COVID-19 vaccines. Outreach and education deliverables shall include social media content creation, flyers/posters, media outreach, website content development, photography, videography, face sheet, e-blasts, and ad-buys to further aid in the City’s communication and outreach efforts. The first amendment increased the scope of services from the amount of \$16,400 to the not-to-exceed amount by \$32,750, for a total not-to-exceed amount of \$49,150.

**WHEREAS**, the parties desire to further expand the scope of the Agreement and First Amended Agreement to include the design, distribution and increase city-wide communication materials on topics that reinforce the City’s strategic priority to connect with the community with timely and transparent information.

**WHEREAS**, the parties desire to amend the Agreement and First Amended Agreement to cover the cost of providing the increased scope of services from the amount of \$49,150 to the not-to-exceed amount by \$200,850 for a total not-to-exceed amount of \$250,000.

**AGREEMENT**

**NOW, THEREFORE**, the parties hereto agree that:

1. The February 15, 2021 First Amended Agreement is hereby amended to cover the cost of the increased scope of services from the contract amount of \$49,150 by a not-to-exceed increased amount of \$200,850 for a total not-to-exceed amount of \$250,000.
2. The parties further agree that, with the foregoing exceptions, each and every other term and provision of the October 28, 2020 Agreement and each and every other term

and provision of the February 15, 2021 First Amended Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this Second Amendment to the Agreement on the date and year first above written.

**CITY OF NATIONAL CITY**

By: \_\_\_\_\_  
Alejandra Sotelo Solis, Mayor

APPROVED AS TO FORM:  
Jennifer K. Gilman  
Deputy City Attorney

By: \_\_\_\_\_  
Jennifer K. Gilman  
Deputy City Attorney

**RMG COMMUNICATIONS**

*(Corporation – signatures of two corporate officers required)*

By: *Rachel McGuire*  
*(Name)*  
Rachel McGuire  
*(Print)*  
President  
*(Title)*

By: *Rachel McGuire*  
*(Name)*  
Rachel McGuire, Secretary  
*(Print)*

**CONTACT INFORMATION**

**CITY OF NATIONAL CITY**  
1243 National City Boulevard  
National City, CA 91950-4397

Phone: (619) 336-4289  
Fax: (619) 336-4327  
Contact: Brad Raulston  
Title: City Manager  
Email: [BRaulston@nationalcityca.gov](mailto:BRaulston@nationalcityca.gov)

**RMG Communications**  
822 N. Stage Coach LN.  
Fallbrook, CA 92028

Phone: (760) 707-4149  
Fax: N/A  
Contact: Rachel McGuire  
Title: President/CEO  
Email: [Rachel@rmgcomm.com](mailto:Rachel@rmgcomm.com)  
Taxpayer I.D. No.: 83-0981094

**RESOLUTION NO. 2021 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND RMG COMMUNICATIONS TO EXPAND THE SCOPE OF THE AGREEMENT TO INCLUDE COMMUNICATIONS SPECIFIC TO COVID-19 OUTREACH EFFORTS AND ADDITIONAL STRATEGIC GOALS**

**WHEREAS**, the City of National City (“City”) entered into an agreement with RMG Communications to strategically develop effective communications, branding, and marketing strategies that encompass the City’s mission, values, and culture on October 28, 2020; and

**WHEREAS**, the City amended the original Agreement with RMG Communications on February 15, 2021, to include communication and outreach efforts specific to COVID-19 within the City Manager’s signing authority; and

**WHEREAS**, recent federal funding made available through the American Rescue Plan Act for COVID-19 recovery and economic support will enable the City to expand the City’s existing communications and community outreach; and

**WHEREAS**, the parties desire to expand the scope of the original Agreement and First Amended Agreement to include the design, distribution, and increase city-wide communication materials on topics that reinforce the City’s strategic priority to connect with the community with timely and transparent information; and

**WHEREAS**, the parties desire to amend the original Agreement and First Amended Agreement further to cover the cost of providing the increased scope of services from the amount of \$49,150 to the not-to-exceed amount by \$200,850 for a total not-to-exceed amount of \$250,000; and

**WHEREAS**, City staff recommends City Council authorize the Mayor to execute the Second Amendment to the Agreement between the City and RMG Communications to expand the agreement’s scope of services and to increase the total not-to-exceed amount cover additional communications specific to the City’s COVID-19 outreach efforts and additional City strategic goals.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council of the City of National City hereby authorizes the Mayor to execute the Second Amendment to the Agreement between the City of National City and RMG Communications for a total not-to-exceed amount of \$250,000 to expand the scope of the agreement to include communications specific to the City’s COVID-19 outreach efforts and additional City strategic goals.

**Section 2:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolution.

Resolution No. 2021 –  
Page Two

**PASSED and ADOPTED this 6th day of April, 2021.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

\_\_\_\_\_  
Luz Molina, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charles E. Bell Jr., City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City ratifying the Agreement between the City of National City and Colantuono, Highsmith & Whatley, PC for legal services in consultation with the City Attorney in defending the City and the City's Successor Agency to the Community Development Commission as the National City Redevelopment Agency in the active litigation Affordable Housing Commission v. Sandoval, et al. for the total not to exceed amount of \\$25,000.00 and approving the City Attorney's execution of same. \(City Attorney\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** 4/6/2021

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City ratifying the Agreement between the City of National City and Colantuono, Highsmith & Whatley, PC for legal services in consultation with the City Attorney in defending the City and the City's Successor Agency to the Community Development Commission as the National City Redevelopment Agency in the active litigation Affordable Housing Commission v. Sandoval, et al. for the total not to exceed amount of \$25,000.00 and approving the City Attorney's execution of same.

**PREPARED BY:** Charles E. Bell, Jr., City Attorney

**DEPARTMENT:** Charles E. Bell, Jr.,  
City Attorney

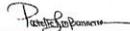
**PHONE:** 4222

**APPROVED BY:** 

**EXPLANATION:**

The Affordable Housing Commission filed the current lawsuit in 2012. The City entered into a Cost Sharing Agreement with other local agencies to cover the litigation costs and expenses. Attorney Alena Shamos represented the local agencies in the suit. In late 2020, Ms. Shamos notified the local agencies that she was leaving the law firm Lounsbery Ferguson Altona & Peak, to join the law firm Colantuono, Highsmith & Whatley, PC. To ensure the continued and uninterrupted representation in the active litigation, the City Attorney's Office negotiated a new retainer agreement with Colantuono, Highsmith & Whatley, PC. See the attached Agreement for legal services with Colantuono, Highsmith & Whatley, PC, to provide legal services in consultation with the City Attorney in defending the City and the City's Successor Agency to the Community Development Commission as the National City Redevelopment Agency in the active litigation Affordable Housing Commission v. Sandoval, et al. for the total not to exceed amount of \$25,000.00.

**FINANCIAL STATEMENT:**

**APPROVED:**  **Finance**

**ACCOUNT NUMBER:** 627-405-081-432-0000

**APPROVED:** \_\_\_\_\_ **MIS**

627-405-081-432-0000 (City Attorney Liability Insurance Fund)

Adequate funding of \$25,000 is available in account 627-405-081-432-0000 for litigation and legal cost and expenditures as described and defined in the Retainer Agreement between the City of National City and Colantuono, Highsmith, & Whatley, PC.

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:**  **INTRODUCTION:**  **FINAL ADOPTION:**

**STAFF RECOMMENDATION:**

Adopt Resolution authorizing the City Attorney to enter into the agreement with Colantuono, Highsmith & Whatley, PC. for legal services in defending the City and The Successor Agency to the Community Development Commission as the National City Redevelopment Agency in the active litigation Affordable Housing Commission v. Sandoval, et al.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

- Agreement
- Resolution

**AGREEMENT FOR LEGAL SERVICES  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
COLANTUONO, HIGHSMITH & WHATLEY, PC**

THIS AGREEMENT FOR LEGAL SERVICES (the “Agreement”) is made between THE CITY OF NATIONAL CITY, a municipal corporation, (the “CITY”) and COLANTUONO, HIGHSMITH & WHATLEY, PC (the “FIRM”). This Agreement sets forth the parties’ mutual understanding concerning legal services to be provided by the FIRM and the fee arrangement for said services.

**Article 1. Retainer.** The CITY hereby retains the FIRM to assist in representing the CITY in connection with its defense in *The Affordable Housing Coalition of San Diego County vs Tracy Sandoval In Her Official Capacity et al*, Sacramento Superior Case No. 34-2012-80001158-CU-WM-GDS (*AHC v. Sandoval, et al*). The FIRM’S disclosures regarding simultaneous representation and potential conflicts in the letter attached hereto as Exhibit A are incorporated herein by reference. By entering in to this Agreement the CITY acknowledges those disclosures control if there is a conflict, and waives any such conflicts.

**Article 2. Scope of Services.** The CITY shall have the right in its sole discretion to determine the particular services to be performed by the FIRM under this Agreement. These services may include the following: assistance to the City Attorney’s office in defending CITY and The Successor Agency to the Community Development Commission as the National City Redevelopment Agency in *AHC v. Sandoval, et al*. It is expected that the FIRM will work with the City Attorney and CITY staff.

**Article 3. Compensation.** Compensation paid under this Agreement shall be as follows:

Partner:	\$ 350 per hour
Senior Associate:	\$ 350 per hour
Associate:	\$ 325 per hour
Paralegal/Legal Assistant:	\$ 160 per hour

A. The FIRM shall not use more than one attorney for the same specific task without the CITY’s approval. The FIRM may use the minimum number of attorneys for this engagement consistent with good professional practice after consulting with and obtaining approval by the CITY.

B. Upon the City Attorney's request, the FIRM agrees to document a plan and budget consistent with the scope of services described above in Article 2 to be agreed to by the City Attorney and the FIRM. The CITY shall not be obligated to pay the FIRM amounts not discussed, budgeted, and agreed to before being incurred by the FIRM.

C. The CITY has appropriated or otherwise duly authorized the payment of an amount not to exceed \$25,000 for legal services and out-of-pocket disbursements pursuant to this Agreement. In no event shall the total fees plus out-of-pocket disbursements exceed this amount without written authorization of the CITY.

D. The FIRM shall keep the CITY advised monthly as to the level of attorney hours and client services performed under Article 1.

E. The CITY further agrees to reimburse the FIRM, in accordance with the procedures set forth in this Article, for telephone, fax, mail, messengers, federal express deliveries, document reproduction, client-requested clerical overtime, lodging, and similar out-of-pocket expenses charged by the FIRM as a standard practice to its clients generally, provided, however, that expenses for travel and meals must be authorized by the City Attorney before the travel is undertaken. In any billing for disbursements, the FIRM shall provide the CITY with a statement breaking down the amounts by category of expense. The following items shall not be reimbursed, unless the CITY has specifically agreed otherwise:

(1) Word Processing, clerical or secretarial charges, whether expressed as a dollar disbursement or time charge.

(2) Storage of open or closed files, rent, electricity, local telephone, postage, receipts or transmission of telecopier documents, or any other items traditionally associated with overhead.

(3) Photocopy charges in excess of \$.15 (fifteen cents) per page.

(4) Auto mileage rates in excess of the rate approved by the Internal Revenue Service for income tax purposes.

(5) Secretarial overtime. Where case requirements demand overtime, the CITY will consider reimbursement on a case-by-case basis. The CITY will not reimburse overtime incurred for the convenience of the FIRM's failure to meet deadlines known in advance.

(6) Equipment, books, periodicals, research materials, Westlaw/Lexis or like items.

(7) Express charges, overnight mail charges, messenger services or the like, without the CITY's prior consent. The CITY expects these expenses to be incurred in emergency situations only. Where case necessity requires the use of these services, the CITY will consider reimbursement on a case-by-case basis.

(8) Travel and meals.

(9) Late payment charge and/or interest. Due to the nature of the CITY's payment process, the CITY will not pay any late charges or interest charges to bills. Every effort will be made to pay bills promptly.

F. Bills from the FIRM should be submitted to Charles Bell Jr., City Attorney, 1243 National City Boulevard, National City, CA 91950-4301. The individual time and disbursement records customarily maintained by the FIRM for billing evaluation and review purposes shall be made available to the CITY in support of bills rendered by the FIRM.

G. The FIRM agrees to forward to the CITY a statement of account for each one-month period of services under this Agreement, and the CITY agrees to compensate the FIRM on this basis. The FIRM will consult monthly with the CITY as to the number of attorney hours and client disbursements which have been incurred to date under this Agreement, and as to future expected levels of hours and disbursements.

H. Billing Format. Each billing entry must be complete, discrete and appropriate.

(1) Complete.

(a) Each entry must name the person or persons involved. For instance, telephone calls must include the names of all participants.

(b) The date the work was performed must be included.

(c) The hours should be billed in .10 hour increments.

(d) The specific task performed should be described, and the related work product should be referenced ("telephone call re: trial brief," "interview in preparation for deposition").

(e) The biller's professional capacity (partner, associate, paralegal, etc.) should be included.

(2) Discrete: Each task must be set out as a discrete billing entry; neither narrative nor block billing is acceptable.

(3) Appropriate

(a) The CITY does not pay for clerical support, administrative costs, overhead costs, outside expenses or excessive expenses. For example, the CITY will not pay for secretarial time, word processing time, air conditioning, rental of equipment, including computers, meals served at meetings, postage, online research, or the overhead costs of sending or receiving faxes. Neither will the CITY pay for outside expenses such as messenger delivery fees, outside photocopying, videotaping of depositions, investigative services, outside computer litigation support services, or overnight mail unless these expenses are authorized by the City Attorney.

(b) Due to the nature of the CITY's payment process, the CITY will not pay any late charges. Every effort will be made to pay bills promptly.

I. Staffing. Every legal matter should have a primarily responsible attorney and a paralegal assigned. Ultimately, staffing is a CITY decision, and the CITY's representative may review staffing to ensure that it is optimal to achieve the goals of the engagement at the least cost.

(1) Paralegals are to be used to the maximum extent possible to enhance efficiency and cost-effectiveness. All tasks typically considered associate work should be considered for assignment to a paralegal.

(2) Once an attorney is given primary responsibility for an engagement, that person should continue on the legal matter until the matter is concluded or the attorney leaves the FIRM. The CITY will not pay the costs of bringing a new attorney up to speed.

(3) If more than one attorney is going to perform the same task, prior approval from the CITY must be had. This includes document review.

**Article 4. Independent Contractor.** The FIRM shall perform services as an independent contractor. It is understood that this contract is for unique professional services. Accordingly, the duties specified in this Agreement may not be assigned or delegated by the FIRM without prior written consent of the CITY. Retention of the FIRM is based on the particular professional expertise of the individuals rendering the services required in the Scope of Services.

**Article 5. Confidentiality of Work.** All work performed by the FIRM including but not limited to all drafts, data, correspondence, proposals, reports, and estimates compiled or composed by the FIRM pursuant to this Agreement is for the sole use of the CITY. All such work product shall be confidential and not released to any third party without the prior written consent of the CITY.

**Article 6. Compliance with Controlling Law.** The FIRM shall comply with all applicable laws, ordinances, regulations, and policies of the federal, state, and local governments as they pertain to this Agreement. In addition, the FIRM shall comply immediately with any and all directives issued by the CITY or its authorized representatives under authority of any laws statutes, ordinances, rules, or regulations. The laws of the State of California shall govern and control the terms and conditions of this Agreement.

**Article 7. Acceptability of Work.** The CITY shall decide any and all questions which may arise as to the quality or acceptability of the services performed and the manner of performance, the acceptable completion of this Agreement and the amount of compensation due. In the event the FIRM and the CITY cannot agree to the quality or acceptability of the work, the manner of performance and/or the compensation payable to the FIRM in this Agreement, the CITY or the FIRM shall give to the other written notice. Within ten (10) business days, the FIRM and the CITY shall each prepare a report which supports their position and file the same with the other party. The CITY shall, with reasonable diligence, determine the quality or acceptability of the work, the manner of performance and/or the compensation payable to the FIRM.

**Article 8. Indemnification.** The FIRM agrees to indemnify and hold the CITY and its agents, officers, and employees harmless from and against all claims asserted or liability established for damages or injuries to any person or property, including injury to the FIRM's employees, agents, or officers, which result or arise from the negligent, reckless or wrongful acts or omissions of the FIRM and its agents, officers, or employees in performing the work or other obligations under this Agreement, and all expenses of investigating and defending against same; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the CITY, its agents, officers, or employees.

**Article 9. Insurance.** The FIRM, at its sole cost and expense, shall purchase and maintain throughout the term of this Agreement, the following insurance policies:

A. **Professional Liability Insurance** (errors and omissions) with minimum limits of \$1,000,000 per claim.

B. **Automobile Insurance** covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include owned, non-owned, and hired vehicles. The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided.

C. **Commercial General Liability Insurance**, with minimum limits of either \$2,000,000 per occurrence and \$4,000,000 aggregate, or \$1,000,000 per occurrence and \$2,000,000 aggregate with a \$2,000,000 umbrella policy, covering all bodily injury and property damage arising out of its operations, work, or performance under this Agreement. The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to the "location". The "location" should be noted with specificity on an endorsement that shall be incorporated into the policy.

D. **Workers' Compensation Insurance** in an amount sufficient to meet statutory requirements covering all of FIRM'S employees and employers' liability insurance with limits of at least \$1,000,000 per accident.

E. The aforesaid policies shall constitute primary insurance as to the CITY, its officers, officials, employees, and volunteers, so that any other policies held by the CITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior written notice to the CITY's Risk Manager, at the address listed in subsection G below, of cancellation or material change.

F. If required insurance coverage is provided on a "claims made" rather than "occurrence" form, the FIRM shall maintain such insurance coverage for three years after expiration of the term (and any extensions) of this Agreement. In addition, the "retro" date must be on or before the date of this Agreement.

G. The Certificate Holder for all policies of insurance required by this Section shall be:

City of National City  
c/o Risk Manager  
1243 National City Boulevard  
National City, CA 91950-4397

H. Insurance shall be written with only insurers authorized to conduct business in California that hold a current policy holder's alphabetic and financial size category rating of not less than A:VII according to the current Best's Key Rating Guide, or a company of equal financial stability that is approved by the CITY'S Risk Manager. In the event coverage is provided by non-admitted "surplus lines" carriers, they must be included on the most recent List of Approved Surplus Line Insurers ("LASLI") and otherwise meet rating requirements.

I. This Agreement shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with and approved by the CITY'S Risk Manager. If the FIRM does not keep all insurance policies required by this Article 10 in full force and effect at all times during the term of this Agreement, the CITY may treat the failure to maintain the requisite insurance as a breach of this Agreement and terminate the Agreement as provided herein.

J. All deductibles and self-insured retentions in excess of \$10,000 must be disclosed to and approved by the CITY. CITY reserves the right to modify the insurance requirements of this Article 10, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

K. If the FIRM maintains broader coverage or higher limits (or both) than the minimum limits shown above, the CITY shall be entitled to the broader coverage or higher limits (or both) maintained by the FIRM. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.

**Article 10. Drug Free Work Place.** The FIRM agrees to comply with the CITY's Drug-Free Workplace requirements. Every person awarded a contract by the CITY for the provision of services shall certify to the CITY that it will provide a drug-free workplace. Any subcontract entered into by the FIRM pursuant to this Agreement shall contain this provision.

**Article 11. Non-Discrimination Provisions.** The FIRM shall not discriminate against any subcontractor, vendor, employee or applicant for employment because of age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. The FIRM will take positive action to ensure that applicants are employed without regard to their age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The FIRM agrees to post in conspicuous places available to employees and applicants for employment any notices provided by the CITY setting forth the provisions of this non-discrimination clause.

**Article 12. Effective Date and Term.** This Agreement shall be effective upon execution by the FIRM and CITY and continue until written notice of cancellation. This Agreement may be terminated at any time by either party with sixty (60) days' written notice to the other. Notice of termination by the FIRM shall be given to the City Attorney.

**Article 13. Notification of Change in Form.** The FIRM has the right to effect changes in form including but not limited to: the change in form from a partnership to a professional law corporation; the change in form of any partner or partners from an individual or individuals to a professional law corporation; the change in form of any corporate partner or partners to any individual partners. The CITY shall be promptly notified in writing of any change in form.

**Article 14. Notices.** In all cases where written notice is to be given under this Agreement, service shall be deemed sufficient if said notice is deposited in the United States mail, postage paid. When so given, such notice shall be effective from the date of mailing of the notice. Unless otherwise provided by notice in writing from the respective parties, notice to the Agency shall be addressed to:

Charles E. Bell, Jr.  
City Attorney  
City of National City  
1243 National City Boulevard  
National City, CA 91950-4301

cc: Leah Munoz  
City of National City  
1243 National City Boulevard  
National City, CA 91950-4301

and to: [cbell@nationalcityca.gov](mailto:cbell@nationalcityca.gov)  
[leahm@nationalcityca.gov](mailto:leahm@nationalcityca.gov)

Notice to the FIRM shall be addressed to:

(For all purposes except payment of invoices)  
Holly Whatley, Esq.  
Alena Shamos, Esq.  
Colantuono, Highsmith & Whatley, PC  
790 East Colorado Boulevard, Suite 850  
Pasadena, CA 91101-2109

and to: [hwhatley@chwlaw.us](mailto:hwhatley@chwlaw.us)  
[ashamos@chwlaw.us](mailto:ashamos@chwlaw.us)

(For payment of invoices)  
Colantuono, Highsmith & Whatley, PC  
420 Sierra College Drive, Suite 140

Grass Valley, CA 95945-5091

and to: [AccountsReceivable@chwlaw.us](mailto:AccountsReceivable@chwlaw.us)

Nothing contained in this agreement shall preclude or render inoperative service or such notice in the manner provided by law.

**Article 15. Headings.** All article headings are for convenience only and shall not affect the construction or interpretation of this Agreement.

**Article 16. Miscellaneous Provisions.**

A. Time of Essence: Time is of the essence for each provision of this Agreement.

B. California Law: This Agreement shall be construed and interpreted in accordance with the laws of the State of California. The FIRM covenants and agrees to submit to the personal jurisdiction of any state court in the State of California for any dispute, claim, or matter arising out of or related to this Agreement.

C. Integrated Agreement: This Agreement including attachments and/or exhibits contains all of the agreements of the parties and all prior negotiations and agreements are merged in this Agreement. This Agreement cannot be amended or modified except by written agreement, and mutually agreed upon by the CITY and the FIRM.

D. Severability: The unenforceability, invalidity, or illegality of any provision of this Agreement shall not render the other provisions unenforceable, invalid, or illegal.

E. Waiver: The failure of the CITY to enforce a particular condition or provision of this Agreement shall not constitute a waiver of that condition or provision or its enforceability.

F. Conflict of Interest: See Exhibit A hereto.

G. No Obligations to Third Parties. Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, or obligate any of the parties hereto, to any person or entity other than the parties hereto.

H. Construction. The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, and (iii) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF NATIONAL CITY**

**COLANTUONO, HIGHSMITH & WHATLEY, PC**

*(Corporation – signatures of two corporate officers)*

By: \_\_\_\_\_  
Brad Raulston, City Manager

By: \_\_\_\_\_  
Holly O. Whatley, Esq.

By:  \_\_\_\_\_  
Michael G. Colantuono, Esq.

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Charles E. Bell, Jr.  
City Attorney

H. Construction. The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, and (iii) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF NATIONAL CITY**

**COLANTUONO, HIGHSMITH & WHATLEY, PC**

*(Corporation – signatures of two corporate officers)*

By: \_\_\_\_\_  
Brad Raulston, City Manager

By: \_\_\_\_\_  
Holly O. Whatley, Esq.

By: \_\_\_\_\_  
Michael G. Colantuono, Esq.

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Charles E. Bell, Jr.  
City Attorney

# EXHIBIT A

790 E. Colorado Boulevard, Suite 850  
Pasadena, CA 91101-2109  
Voice (213) 542-5700  
Fax (213) 542-5710

**COLANTUONO**  
**HIGHSMITH**  
**WHATLEY, PC**

Holly O. Whatley  
(213) 542-5704  
HWhatley@chwlaw.us

January 22, 2021

**VIA ELECTRONIC MAIL**

Charles E. Bell, Jr., City Attorney  
City of National City  
1243 National City Blvd.  
National City, CA 91950-4397  
cbell@nationalcityca.gov

Re: **Representation of City of National City in Defense of *The Affordable Housing Coalition Of San Diego County VS Tracy Sandoval In Her Official Capacity et al, Sacramento Superior Case No. 34-2012-80001158-CU-WM-GDS***

Dear Charles:

I write to propose the terms under which we agree to represent City of National City, individually and as Successor Agency to the Community Development Commission of the City of National City (jointly "you" or "City") in defense of this case. Colantuono, Highsmith & Whatley, PC and all of its professionals are very pleased to have the opportunity to represent you in this matter.

This letter sets forth the basis upon which our firm will provide legal services to you and bill you for services and costs. The firm maintains a conflict of interest index which lists all clients of our firm and matters in which we represent them. We will not represent any party with an interest that may be adverse to an indexed person without first determining if a professional conflict of interest would arise. We propose to index the following with respect to this matter:

Client-Affiliated Parties:

City of Escondido and City of Escondido as Successor  
Agency to the Community Development Commission of the  
City of Escondido

Charles E. Bell, Jr., City Attorney  
City of National City  
January 22, 2021  
Page 2

City of San Marcos and City of San Marcos as Successor  
Agency to the San Marcos Redevelopment Agency

City of Lemon Grove and City of Lemon Grove Successor  
Agency to the Lemon Grove Community Development  
Agency;

City of National City and The Successor Agency to the  
Community Development Commission as the National City  
Redevelopment Agency;

City of Carlsbad and City of Carlsbad as Successor Agency  
to the Carlsbad Redevelopment Agency

City of Chula Vista and City of Chula Vista as Successor  
Agency to the Redevelopment Agency of the City of Chula  
Vista

City of Oceanside and City of Oceanside as Successor  
Agency to the Oceanside Community Development  
Commission

City of Vista and City of Vista as Successor Agency to the  
Vista Redevelopment Agency

Adverse Parties:

The Affordable Housing Coalition of San Diego County

Please let me know if any of these names are incorrect or if there are other parties with an interest in this matter that we should list such as, for example, any other anticipated challengers to the City's post redevelopment enforceable affordable housing obligations. Unless we hear from you to the contrary, we will assume the above listing is accurate and complete.

Given the nature of this representation, which involves representing eight (8) cities<sup>1</sup> (including their successor agencies) in a dispute involving most San Diego County taxing entities impacted by the enforceable obligations associated with post redevelopment housing funds, careful thought must be given to conflicts of interest. First, we have multiple clients for purposes of this engagement. It is possible, perhaps likely, that differences of opinion and different interests may exist or develop among them. Different clients might have different views on strategy, settlement, whether to appeal, and other issues.

In addition, we have current special counsel relationships involving other matters with San Diego County local governments and other clients including the cities of Chula Vista and Vista. Our firm also serves as General Counsel of the San Diego LAFCO, which has authority with respect to annexations to the City and other such matters, but it has no interest in this matter and we are not aware of any current adversity between the City and LAFCO. If there is such adversity, please let me know so I can obtain the necessary consents to this representation from LAFCO. Chula Vista and Vista are part of the above listed group of Client-Affiliated Parties and will receive a similar letter.

The informed written consent of all clients is required whenever a law firm represents clients with potentially or actually adverse interests, even in unrelated matters. California Rule of Professional Conduct 1.7 provides, in relevant part:

(a) A lawyer shall not, without the informed written consent\* from each client and compliance with paragraph (d), represent a client if the representation is directly adverse to another client in the same or a separate matter.

...

(d) Representation is permitted under this rule only if the lawyer complies with paragraphs (a), (b), and (c), and:

- (1) the lawyer reasonably believes\* that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law; and

---

<sup>1</sup> This number is subject to change if cities are added to the group, or if cities leave the group.

(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal.

(Terms followed by asterisks are defined elsewhere in the Rules.)

We believe we can represent all our clients while also representing the others. And the cities identified as part of the Client-Affiliated Parties have not looked to us for advice on issues as to which they have interests adverse to each other or LAFCO. Accordingly, your retention of our firm to represent you along with other Client-Affiliated Parties in this case, represents your agency's consent to such representation, and agreement to waive any conflict of interest that does or may hereafter exist among the cost-share agencies, accepting any limitation on our ability to represent individual cities' and successor-agencies' interests made necessary by our service to the group. You agree not to share with us any confidential information of your agency which you do not wish us to share with the other agencies which retain us in this case and to look to other independent counsel for any advice you may desire as to issues in which your interests do not align with those of other agencies we represent.

Further, you agree and consent to our representing you in this case and our continuing to represent our existing general and special counsel clients, and new clients, on matters unrelated to this case even if you have a legal conflict or other adversity with that other client, such as a different position on a claim against a risk pool, a boundary dispute, a commercial dispute, any other disagreement. You agree not to share with us any confidential information unrelated to this case which might impair our ability to represent our existing general and special counsel clients and other clients in unrelated matters notwithstanding any legal conflict or other adversity between you and those other clients.

Whether to grant this consent is a business judgment, and you may wish to consult with independent counsel before signing this letter agreement.

The nature of the matter, in light of it having just been remanded to the trial court and the lack of information regarding the posture Petitioner will take, makes it difficult for us to precisely estimate the fees you may incur. You will receive monthly statements informing you of the fees and costs incurred during the prior month. We will, of course, do our best to represent you efficiently and without undue expense.

Charles E. Bell, Jr., City Attorney  
City of National City  
January 22, 2021  
Page 5

Please make payments payable to Colantuono, Highsmith & Whatley, PC directly to our Grass Valley office at:

Colantuono, Highsmith & Whatley, PC  
420 Sierra College Drive, Suite 140  
Grass Valley, CA 95945-5091

Our federal employer identification number is 75-3031545.

Alena Shamos and I will have primary responsibility for your representation, and the firm will use other attorneys and legal assistants in the best exercise of our professional judgment. If you have questions, concerns or criticisms at any time, please contact me at once. Naturally, we expect you to keep us reasonably informed of all significant developments regarding this representation.

We review all statements before they are issued to ensure the amount charged is appropriate. The statement for fees is simply the product of the hours worked multiplied by the hourly rates for the attorneys and legal assistants who did the work.

Our hourly rates are based upon the experience, reputation and ability of the lawyer or legal assistant performing the services, and for 2020 range between \$220 and \$525 per hour for attorneys' time, and between \$150 and \$170 for the time of paralegals and legal assistants. As a courtesy to you, however, we agree to cap our rates at \$350 per hour, a substantial discount from Alena's and my full rates. Our rate structure in general and the rates of particular lawyers may be increased from time to time, and are usually adjusted as of the beginning of each calendar year, but we will not lift the \$350-per-hour cap without first discussing with you our need to do so.

We will divide our time on all common tasks equally among our clients. At present there are eight (8) cities splitting the cost of those tasks. Thus, the City will pay 1/8 of the cost of those tasks initially (i.e., rates will be capped at less than \$43 per hour) and the fraction will grow smaller if we add other cities to the cost-share group. Any tasks unique to the City, such as reviewing and analyzing its individual enforceable obligations, communicating with the City, etc. will be billed separately.

It may be necessary to bill you for items such as, but not limited to, authorized travel, long distance telephone calls, filing fees, photocopying, computerized legal

Charles E. Bell, Jr., City Attorney  
City of National City  
January 22, 2021  
Page 6

research outside the scope of our Westlaw contract and the like. These items are separately itemized on our statement as “disbursements.” These amounts will be billed in addition to our fees.

We will send you monthly statements, and expect payment within 15 days of the billing date. If payment is not received within 30 days of the billing date, we reserve the right to charge interest on the unpaid balance at the rate of 1% per month and to terminate our representation.

We rarely have disputes with clients over our fees. Nevertheless, you should be aware that you are entitled to require that any fee dispute be resolved by binding arbitration in Los Angeles or Nevada Counties pursuant to the arbitration rules for legal fee disputes of the respective County Bar Association. We agree that all disputes between us regarding the services rendered or fees charged not resolved via County Bar fee arbitration will be submitted to binding arbitration in Orange County to be conducted by ADR Services, Inc. in accordance with its commercial arbitration rules. **YOU SHOULD REVIEW THIS PARAGRAPH CAREFULLY AND, IF YOU WISH, SEEK INDEPENDENT LEGAL COUNSEL REGARDING IT, AS YOU AND WE ARE AGREEING TO FOREGO SIGNIFICANT RIGHTS IN THE EVENT OF A DISPUTE BETWEEN US, INCLUDING THE RIGHT TO A JURY TRIAL.**

You have the right to terminate our representation at any time. We have the same right, subject to an obligation to give you reasonable notice to arrange alternative representation. In either circumstance, you agree to secure new counsel to represent you as quickly as possible and to cooperate fully in the substitution of the new counsel as counsel of record. Notwithstanding the termination of our representation, you will remain obligated to pay to us all fees and costs incurred previously.

You agree that we may, in our discretion, maintain all or part of your client file in electronic format. The firm may store part or all of your documents using secure cloud storage services. If so, the firm will apply all reasonable methods to maintain the confidentiality of your files, just as it does for your non-digital information. Your data will be password protected and encrypted using currently available technology. Clients requiring information from their files may obtain that information only by written request to us.

Charles E. Bell, Jr., City Attorney  
City of National City  
January 22, 2021  
Page 7

You also agree that following termination of our attorney-client relationship, we will not be required to maintain your client file for more than two years. If you ask us to deliver your file to you, you agree that delivery of an electronic version, together with any materials that cannot be saved electronically, satisfies our obligation to release all your client papers and property to you. Two years after termination of our relationship, and after reasonable notice, you agree that we will be free to destroy your client file, including all electronic records. We may also discharge our obligation to maintain your file before two years expire by mailing a copy to you at your address last known to us. You agree that "reasonable notice" means our mailing a notice of our intent to destroy your client file to you at that address.

I apologize for the formality of this letter, but we are required by California law to provide this information to you in writing. We are also required to inform you that we currently maintain professional liability insurance coverage.

Please review the foregoing and, if it meets with your approval, execute it and return it to me. If you have any questions, please feel free to call me at the direct-dial number above. Thank you for the opportunity to represent you!

Very truly yours,

Holly O. Whatley

On behalf of City of National City, I agree to retain Colantuono, Highsmith & Whatley, PC to provide legal services as set forth above.

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_, 2021

By: \_\_\_\_\_

Title: \_\_\_\_\_

**RESOLUTION NO. 2021 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, RATIFYING THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND COLANTUONO, HIGHSMITH & WHATLEY, PC FOR LEGAL SERVICES IN CONSULTATION WITH THE CITY ATTORNEY IN DEFENDING THE CITY AND THE CITY'S SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY IN THE ACTIVE LITIGATION AFFORDABLE HOUSING COMMISSION V. SANDOVAL, ET AL. FOR THE TOTAL NOT-TO-EXCEED AMOUNT OF \$25,000.00 AND APPROVING THE CITY ATTORNEY'S EXECUTION OF SAME**

**WHEREAS**, the City of National City's City Attorney Office negotiated a new retainer agreement with Colantuono, Highsmith & Whatley, PC in consultation with the City Attorney in defending the City and the City's Successor Agency to the Community Development Commission as the National City Redevelopment Agency in the active litigation Affordable Housing Commission v. Sandoval, et al.; and

**WHEREAS**, the cost for said legal services is for the total not-to-exceed amount of \$25,000.00.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council of the City of National City hereby ratifies the Agreement between the City of National City and Colantuono, Highsmith & Whatley, PC for legal services in consultation with the City Attorney in defending the City and the City's Successor Agency to the Community Development Commission as the National City Redevelopment Agency in the active litigation Affordable Housing Commission v. Sandoval, et al. for the total not-to-exceed amount of \$25,000.00 and approving the City Attorney's execution of same.

**Section 2:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolution.

**PASSED and ADOPTED this 6th day of April, 2021.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

\_\_\_\_\_  
Luz Molina, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charles E. Bell Jr., City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City, amending the final contract amount of \\$926,695.06 by \\$522.57 to \\$927,217.63 approved on October 20, 2020 by City Council Resolution No. 2020-193 for the work performed by Select Electric, Inc. on the Citywide Traffic Signal and ADA Improvements Project, CIP No. 18-05, due to minor clerical errors. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.**

**ITEM TITLE:**

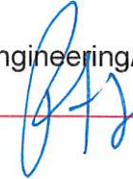
Resolution of the City Council of the City of National City, amending the final contract amount of \$926,695.06 by \$522.57 to \$927,217.63 approved on October 20, 2020 by City Council Resolution No. 2020-193 for the work performed by Select Electric, Inc. on the Citywide Traffic Signal and ADA Improvements Project, CIP No. 18-05, due to minor clerical errors.

**PREPARED BY:** Jose Lopez, P.E., Deputy City Engineer



**DEPARTMENT:**  
**APPROVED BY:**

Engineering/Public Works



**PHONE:** 619-336-4312

**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

N/A

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt Resolution amending the previously approved final contract amount of \$926,695.06 by \$522.57 to \$927,217.63 due to minor clerical errors.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Final Contract Balance Report
3. Resolution

## EXPLANATION

On October 20, 2020, City Council adopted Resolution No. 2020-193 accepting the work performed by Select Electric Inc. for the Citywide Traffic Signal and ADA Improvements, CIP No. 18-05, and approved the final contract amount of \$926,695.06, funded in part by a Highway Safety Improvement Program Grant. However, as staff was preparing the closeout grant report, two errors were identified.

- The final agreed upon price of \$926,695.06 as approved in the above referenced resolution was under by \$522.57. The correct final contract amount is \$927,217.63 which corresponds to the actual amount paid to the contractor. The difference was only the clerical error listed in the Final Contract Balance Report
- A rounding error in the contract item amount calculation resulted in an overpayment in the amount of \$0.74. The contractor will be issuing a refund of \$0.74. This overpayment has been accounted for in the corrected final contract amount of \$927,217.63.

This item is being brought forward for record keeping purposes in anticipation of standard grant audit procedures and does not result in the need for additional funds for this project.

Staff recommends amending the previously approved final contract amount of \$926,695.06 by \$522.57 to \$927,217.63 for the work performed by Select Electric, Inc. on the Citywide Traffic Signal and ADA Improvements Project, CIP No. 18-05, due to minor clerical errors.



## FINAL CONTRACT BALANCE

**DATE:** June 22, 2020

**PROJECT:** Citywide Traffic Signal and ADA Improvements  
FY 18-19  
CIP No. 18-05

**TO:** Select Electric Inc.  
2790 Business Park Drive  
Vista, Ca, 92078

ORIGINAL CONTRACT AMOUNT:	\$797,970
START DATE:	July, 18, 2018
COMPLETION DATE:	March, 7, 2020
ORIGINAL CONTRACT LENGTH:	130 Working Days
EXTENTION OF WORK DAYS:	207 Working Days
TOTAL CONTRACT TIME:	337 Working Days
FINAL CONTRACT AMOUNT:	\$927,217.63

### DESCRIPTION:

The Final Contract Balance reports final line item amounts and summarizes all change orders to produce a final contract amount.

### CHANGE ORDERS AND LINE ITEM ADJUSTMENTS:

Change Order #1 required additional potholing at the intersection of National City Blvd and 16ths St. due to utility conflicts at two of the four proposed traffic signal locations. This Change Order total amount is **\$5,918.36**.

Change Order #2 required additional potholing at the intersection of 2<sup>nd</sup> and Sweetwater due to utility conflicts at all proposed traffic signal locations. This Change Order total amount was **\$2,937.53**.

Change Order #3 was deleted and was not executed. This Change Order total amount was **\$00.00**.

Change Order #4 directed the Contractor to perform additional potholing at the SE and SW corner of 2<sup>nd</sup> and Sweetwater due to the redesign of this intersection. This Change Order total amount was **\$3,363.50**.

Changer Order #5 directed the contractor to perform additional potholing, surveying, excavation, compaction, preparation of traffic signal pole foundations and conduit per the redesign of the traffic signal poles and foundations on the SE and SW corner of 2<sup>nd</sup> St and Sweetwater Rd. This Change Order total amount was **\$58,049.24**.

## **FINAL CONTRACT BALANCE**

Citywide Traffic Signal and ADA Improvements

CIP No. 18-05

Change Order #6 directed the Contractor to perform additional potholing, excavation compaction and preparation of Pole foundation "D" at National City Blvd and 16<sup>th</sup> St due to the demolition of the unmarked City sewer line. This Change Order total amount is **\$5,181.60**.

Change Order #7 directed the Contractor to demo the original curb and gutter that was placed at 2<sup>nd</sup> St and Sweetwater Rd per the original plan. Change Order #7 directed the Contractor to do additional grading, compaction, forming, and placing of concrete sidewalk, ADA curb ramps, and bike path to accommodate the revised grades. This Change Order total amount was **\$63,196.94**.

Change Order #8 directed the contractor to install an additional continental crosswalk at the intersection of 2<sup>nd</sup> and SW per the revised plan and also directed the Contractor to install "Keep Clear Markings", 2 "Do Not Block Intersection" signs and remove existing striping. This Change Order total amount was **\$3,746.96**.

Change Order #9 directed the contractor to import additional class II base to raise the grade within the DG footprint at the SE corner of 2<sup>nd</sup> and SW. This work included additional filter fabric, installation of various size boulders and the grading of decomposed granite. This Change Order total amount was **\$19,324.90**.

Change Order #10 reduced line item #18 asphalt quantities for a credit back to the City of \$68,841. The scope of work at 2<sup>nd</sup> and SW for all asphalt repairs changed substantially, it was agreed upon by the Contractor and the City to track all asphalt work under T&M. The total T&M amount is \$38,081.69. The billing statement reflects payment on line item #18 and recovers the deduction on Change Order #10 Line Item. This Change Order total amount was **\$(30,759.31)**.

Change Order #11 directed the contractor to remove and replace the existing 4 east bound limit line loops at the intersection of Sweetwater Rd and 2<sup>nd</sup> St. The loops were found and exposed during construction and the Engineer confirmed the loops were not operating properly to support a fully operational intersection. The City and the Contractor agreed to a lump sum price for this work. This Change Order total amount was **\$1,200.00**.

Change Order #12 captured the additional mobilization for traffic signal installation at 16<sup>th</sup> St and National City Blvd due to the plans not calling out the correct pole schedule in the original plans. This Change Order total amount was **\$3,123.98**.

Change Order # 13 captured the disposal and dump fees of the additional spoils from the NW corner of 2<sup>nd</sup> St and Sweetwater Rd. The additional spoils were generated due to relocation of Traffic Signal A and the unknown conditions of the soil material. The Contractor encountered unsuitable material and existing culvert that generated additional spoils due to the sluffing of material into our excavation. This Change Order total amount was **\$4,548.37**.

Change Order # 14 directed the contractor to perform additional excavating, grading, compaction and installation of conduit to relocate 1 pedestrian push button pole per the revised plan at the SE corner of 2<sup>nd</sup> and Sweetwater. This Change Order total amount was **\$3,880.20**.

Change Order #15 directed the Contractor to remove and replace 2 existing south bound advanced detection loops at Division St and Palm Ave. The Design Engineer tested the new traffic signal

## FINAL CONTRACT BALANCE

Citywide Traffic Signal and ADA Improvements

CIP No. 18-05

improvements and discovered that the advanced detection loops were not working to their full potential and recommended to have the loops replaced for a fully operation traffic signal system. This work was done at an agreed lump sum price. This Change Order total amount was **\$1,400.00**.

Change Order #16 directed the Contractor to remove the abandoned City sewer line at 16<sup>th</sup> and National City Blvd to allow for re-routing of conduit. The city sewer line was unmarked and encountered during the conduit installation process. At this time City staff confirmed the sewer line was abandoned and can be removed. This Change Order total amount was **\$2,488.24**.

Change Order # 17 directed the contractor to remove and dispose of 12-inches of unsuitable material at the SE and NW corner of Euclid Ave and Division St. This change order also captures the import, grading and compaction of Class II Base to properly achieve optimal compaction for new curb ramps and asphalt paving. This Change Order total amount was **\$3,396.12**.

All Change Orders listed above increased the total contract amount **\$150,996.63**.

Line Item #16 – Construct Curb Ramp had an original quantity of 17 curb ramps. Throughout the project, 5 ramps were deleted from the Contract and gave a credit amount of **\$18,280** back to the City.

Line Item #17 – Construct 6" Type G-2 Curb & Gutter per SDRSD G-2 had an original quantity of 310 LF. Throughout the project, the estimated linear footage was less than estimated and the project placed a total 328 LF of Type G-2 Curb & Gutter. This increased the total line item amount by **\$1,062.00**.

Line Item #19 – Construct 4" PCC Sidewalk per SDRSD G-7 had an original quantity of 2,900 SF. Throughout the project the estimated square footage was less than estimated and the project placed a total 2,927 SF of 4" PCC Sidewalk. This increased the total line amount by **\$189.00**.

Line Item #20 Furnish and Install Mulch was not used during the project and gave a credit amount of **\$4,720.00** back to the City.

All line item adjustments above gave a credit amount of **\$21,749.00** back to the City.

### CONTRACT ADJUSTMENT:

As a result of the above change orders and line item adjustments, the contract price is adjusted as follows:

1. The final contract price is adjusted to **\$927,217.63**.
2. As a result of the satisfactory completion of said project, a retention amount of **\$46,360.88** is set for invoice processing and payment upon the receipt of signatures and City Council's ratification of this agreement and the Notice of Completion.

This document and its purpose to balance payment shall be considered full compensation for furnishing and installing the materials, labor, tools and equipment, profit, overhead, and all incidentals for performing the work described above. Select Electric Inc. will not be entitled to damages or additional payment for delays as described in the 2012 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.

**RESOLUTION NO. 2021 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AMENDING THE FINAL CONTRACT AMOUNT OF \$926,695.06 BY \$522.57 TO \$927,217.63 APPROVED ON OCTOBER 20, 2020 BY CITY COUNCIL RESOLUTION NO. 2020-193 FOR THE WORK PERFORMED BY SELECT ELECTRIC, INC. ON THE CITYWIDE TRAFFIC SIGNAL AND ADA IMPROVEMENTS PROJECT, CIP NO. 18-05, DUE TO MINOR CLERICAL ERRORS**

**WHEREAS**, on October 20, 2020, City Council adopted Resolution No. 2020-193 accepting the work performed by Select Electric Inc. for the Citywide Traffic Signal and ADA Improvements, CIP No. 18-05, and approved the final contract amount of \$926,695.06, funded in part by a Highway Safety Improvement Program Grant; and

**WHEREAS**, the final agreed-upon price of \$926,695.06 as approved in Resolution No. 2020-193 was under by \$522.57; and

**WHEREAS**, the correct final contract amount is \$927,217.63, which corresponds to the actual amount paid to the contractor; and

**WHEREAS**, City staff recommends amending the previously approved final contract amount of \$926,695.06 by \$522.57 to \$927,217.63 for the work performed by Select Electric, Inc. on the Citywide Traffic Signal and ADA Improvements Project, CIP No. 18-05, due to minor clerical errors.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council of the City of National City hereby amends the final contract amount of \$926,695.06 by \$522.57 to \$927,217.63 approved on October 20, 2020 by City Council Resolution No. 2020-193 for the work performed by Select Electric, Inc. on the Citywide Traffic Signal and ADA Improvements Project, CIP No. 18-05, due to minor clerical errors.

**Section 2:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolution.

**PASSED and ADOPTED this 6<sup>th</sup> day of April, 2021.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

\_\_\_\_\_  
Luz Molina, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charles E. Bell Jr., City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City approving the 405 W. 18th Street Subdivision Map, Case File Number 2019-08 S, and authorizing the Mayor and City Clerk to sign the map. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

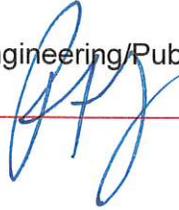
**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City approving the 405 W. 18<sup>th</sup> Street Subdivision Map, Case File Number 2019-08 S, and authorizing the Mayor and City Clerk to sign the map.

**PREPARED BY:** Carla Hutchinson, Assistant Engineer - Civil *C.H.* **DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4388

**APPROVED BY:** 

**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

| N/A |

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

N/A

**BOARD / COMMISSION RECOMMENDATION:**

Adopt the Resolution approving the 405 W. 18<sup>th</sup> Street Subdivision Map, Case File Number 2019-08 S, and authorizing the Mayor and City Clerk to sign the map.

**ATTACHMENTS:**

1. Explanation
2. Subdivision Map
3. Copy of Map Tax Clearance Certificate
4. Resolution

## **EXPLANATION**

San Diego Habitat for Humanity is the owner of the property located at the northwest corner of West 18<sup>th</sup> Street and Harding Avenue, APN 559-085-08. The Owner has proposed a subdivision of the property into six lots in order to build six new custom townhomes. The parcel is currently vacant and approximately 8,649 square feet in size.

On August 20, 2019, subsequent to a public hearing, City Council adopted Resolution No. 2019-119 approving the tentative subdivision map.

Staff has reviewed the map and acknowledged that the subdivision is substantially the same as it appeared on the tentative map and any approved alterations thereof. Staff also confirmed that the map complies with the Subdivision Map Act and National City Municipal Chapter 17, Subdivisions. City Engineering used an on-call consultant, Peter Golding, State of California Licensed Land Surveyor, to review the map for technical correctness. Mr. Golding signed the map acknowledging that it is technically correct.

Staff is requesting approval of the 405 West 18<sup>th</sup> Street Subdivision Map, and for the Mayor and City Clerk to sign the map. Staff will then record and file with the County Recorder's Office.

MAP NO.

SHEET 1 OF 2 SHEETS

# SAN DIEGO HABITAT FOR HUMANITY

## CASE FILE NO. 2019-08 S IN THE CITY OF NATIONAL CITY

BEING A SUBDIVISION OF LOTS 13, 14 AND 15 IN BLOCK 146 OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 346, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 2, 1982.

SUBDIVISION GUARANTEE PREPARED BY: CHICAGO TITLE COMPANY, ORDER NO. 00140312, DATED: \_\_\_\_\_

AREA: 0.20 ACRES

TOTAL NUMBER OF LOTS: 6

### OWNERS STATEMENT:

WE HEREBY CERTIFY WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND TO BE SUBDIVIDED BY THIS MAP AND WE CONSENT TO THE PREPARATION AND RECORDING OF THIS MAP AND FROM LOTS 1 THROUGH 6 IN AND TO 18TH STREET, HARDING AVENUE, AND ALLEY EXCEPT AT ACCESS OPENINGS, ALL AS SHOWN ON SAID MAP.

WE HEREBY RESERVE FOR OURSELVES AND ASSIGNS, THE RECIPROCAL ACCESS EASEMENT, ALL AS SHOWN ON SAID MAP.

SAN DIEGO HABITAT FOR HUMANITY, A CALIFORNIA NON-PROFIT CORPORATION

BY: Lois Holt Pfeiler  
NAME: LOIS HOLT PFEILER  
TITLE: EXECUTIVE DIRECTOR

3-12-2021  
DATE:

### BENEFICIARY:

THE CITY OF NATIONAL CITY AND THE COMMUNITY DEVELOPMENT COMMISSION, JURISDICTION OF THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO INSTRUMENT NO. 2020-458691, OF OFFICIAL RECORDS.

BY: \_\_\_\_\_  
NAME: ALEXANDRA SOTELO-SOULS  
TITLE: MAYOR, CITY OF NATIONAL CITY, CALIFORNIA

BY: \_\_\_\_\_  
NAME: MICHAEL R. DALLA  
TITLE: CITY CLERK, CITY OF NATIONAL CITY, CALIFORNIA

### NOTARY ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA } SS

COUNTY OF San Diego

ON MARCH 12, 2021 BEFORE ME, KATHLEEN CLIFFORD

A NOTARY PUBLIC, PERSONALLY APPEARED Lois Holt Pfeiler

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE

SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN

PERSONAL CAPACITY, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE

PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING

PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: Kathleen Clifford

NAME: KATHLEEN CLIFFORD

TITLE: CITY CLERK

PRINCIPAL COUNTY OF BUSINESS: SAN DIEGO

COMMISSION EXPIRES: 10/26/2024

COMMISSION # OF NOTARY: 42334526

STATE OF CALIFORNIA } SS

COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_ BEFORE ME,

A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE

SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN

PERSONAL CAPACITY, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE

PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING

PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION # OF NOTARY: \_\_\_\_\_

### ENGINEER'S STATEMENT:

I, DOUGLAS W. WASSON, A REGISTERED CIVIL ENGINEER OF THE STATE OF CALIFORNIA, STATE THAT THE SURVEY OF THIS SUBDIVISION WAS MADE BY ME OR UNDER MY DIRECTION JANUARY 25, 2020 AND SAID SURVEY WAS MADE AT THE CORNERS OF THE LOTS AND AT THE CORNERS OF THE SUBDIVISION BOUNDARY CORNERS, AND I WILL SET ALL OTHER MONUMENTS OF THE CHARACTER AND AT THE POSITION INDICATED BY LEGEND IN THIS MAP WITHIN 30 DAYS AFTER THE COMPLETION OF THE REQUIRED IMPROVEMENTS AND SUCH MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED (SEE LEGEND ON SHEET 2).

DATE: JAN 19, 20 21

Douglas W. Wasson

DOUGLAS WASSON P.C.E. 17708

EXPIRATION DATE: 06/30/2021



### CITY ENGINEER'S STATEMENT:

I, PETER C. COLEMAN, HEREBY STATE THAT I HAVE EXAMINED THIS MAP FOR THE CITY ENGINEER AND FOUND THAT IT IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_ 20 21

ROBERT VAN R.C.E. CSE292

CITY ENGINEER

EXPIRATION DATE: 12/31/2022



I, PETER C. COLEMAN, HEREBY STATE THAT I HAVE EXAMINED THIS MAP FOR THE CITY ENGINEER AND FOUND THAT IT IS TECHNICALLY CORRECT.

DATE: 1-20 20 21

Peter C. Coleman

PETER C. COLEMAN P.L.S. 4788

EXPIRATION DATE: 03/31/2022

### RECORDER'S CERTIFICATE:

I, ERNEST J. DRONKOWSKI, JR., RECORDER OF THE COUNTY OF SAN DIEGO, HEREBY CERTIFY THAT I HAVE ACCEPTED FOR RECORDATION THIS MAP FILED AT THE REQUEST OF DOUGLAS W. WASSON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

BY: \_\_\_\_\_

ERNEST J. DRONKOWSKI, JR.

COUNTY RECORDER

FEES \$ \_\_\_\_\_

BY: \_\_\_\_\_

DEPUTY COUNTY RECORDER

### NOTARY ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA } SS

COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_ BEFORE ME,

A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE

SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN

PERSONAL CAPACITY, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE

PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING

PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION # OF NOTARY: \_\_\_\_\_

### MAYOR AND CITY CLERK'S CERTIFICATE:

WE, ALEXANDRA SOTELO-SOULS, MAYOR AND MICHAEL R. DALLA, CITY CLERK OF NATIONAL CITY, CALIFORNIA, HEREBY CERTIFY THAT THE CITY COUNCIL BY RESOLUTION NO. \_\_\_\_\_ HAS APPROVED THIS MAP AND CONSENTS TO THE SUBDIVISION AS DESCRIBED IN CAPTION THEREOF AND HAS ACCEPTED THE REINSTATEMENT OF ACCESS RIGHTS AS SHOWN ON THIS MAP.

WE ALSO CERTIFY THAT THE PROPER PUBLIC NOTICE HAS BEEN GIVEN APPROVING THIS SUBDIVISION MAP.

BY: \_\_\_\_\_

ALEXANDRA SOTELO-SOULS, MAYOR

CITY OF NATIONAL CITY, CALIFORNIA

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

MICHAEL R. DALLA, CITY CLERK

CITY OF NATIONAL CITY, CALIFORNIA

### COUNTY TREASURER-TAX COLLECTOR AND DIRECTOR OF PUBLIC WORKS CERTIFICATE:

WE, COUNTY TREASURER-TAX COLLECTOR OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND DIRECTOR OF PUBLIC WORKS OF SAID COUNTY, HEREBY CERTIFY THAT THESE ARE NO UNPAID SPECIAL ASSESSMENTS OR BONDS WHICH MAY BE PAID IN FULL, SHOWN BY THE BOOKS OF OFFICES, AGAINST THE SUBDIVISION OR ANY PART THEREOF SHOWN ON THE ANNECED MAP AND RECORDED IN THE CAPTION THEREOF.

DAN MAHLBIEB COUNTY TREASURER - TAX COLLECTOR

DATE: 3-11-21

BY: \_\_\_\_\_

JEFF C. MALABEDA DIRECTOR OF PUBLIC WORKS

DATE: 3-9-2021

BY: \_\_\_\_\_

### CLERK OF THE BOARD OF SUPERVISORS:

WE, THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (WASSON 2, TITLE 7 OF THE GOVERNMENT CODE) REGARDING (A) DEPOSITS FOR TAXES, AND (B) CERTIFICATION OF THE ABSENCE OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OF SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

ANDREW POTTER, CLERK OF THE BOARD OF SUPERVISORS

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

DEPUTY

DATE: \_\_\_\_\_

**SAN DIEGO HABITAT FOR HUMANITY**  
**CASE FILE NO. 2019-08 S IN THE CITY OF NATIONAL CITY**

BEING A SUBDIVISION OF LOTS 13, 14 AND 15 IN BLOCK 146 OF NATIONAL CITY, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 348, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 2, 1982.

**BASIS OF BEARINGS:**  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM (CCS 83), ZONE 6, 1991.35 EPOCH, GRID BEARING BETWEEN STATION "1232" AND STATION "1236" (BOTH HAVING A CALIFORNIA COORDINATE VALUE OF FIRST ORDER ACCURACY OR BETTER) PER ROS 14492 (I.E. N83°31'19" E) SEE MAP 83 TIES DETAIL BELOW.

QUOTED BEARINGS FROM REFERENCE MAPS/DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

THE COMBINED SCALE FACTOR AT STATION "1232" IS 1.0000255  
 GRID DISTANCE = GROUND DISTANCE X COMBINED SCALE FACTOR.

**LEGEND:**

- ▲ INDICATES FOUND MONUMENT AS NOTED.
- INDICATES FOUND STANDARD STREET SURVEY MONUMENT PER CITY HORIZONTAL CONTROL MAP NO. 484-4, STAMPED AS NOTED.
- SET LEAD W/DISC, STAMPED "ICE 17706", UNLESS OTHERWISE NOTED.
- SET LEAD W/DISC, STAMPED "ICE 17706", ON F.A. PROJ., UNLESS OTHERWISE NOTED.
- ALL BEAR LOTS CORNERS, UNLESS OTHERWISE SHOWN WILL BE MONUMENTED BY LEAD W/DISC ON TOP OF WALL, STAMPED "ICE 17706".
- LOT CORNERS ALONG THE SHALOWNESS OF DEDICATED STREETS WILL BE MONUMENTED BY A DISC STAMPED "ICE 17706" IN TOP OF CURB ON A PROLONGATION OF THE LOT LINE AT A 14.35' OFFSET.
- ① CENTERLINE FOUND
- ② IRON PIPE FOUND
- ③ BAR FOUND
- REF. INDICATES REFERENCE
- O/S INDICATES OFFSET
- S/L INDICATES SURVEY LINE
- 7/0 INDICATES ACCESS RIGHTS RELINQUISHED
- ( ) INDICATES RECORD DATA PER MAP 348
- (R1) INDICATES RECORD DATA PER ROS 8026
- (R2) INDICATES RECORD DATA PER ROS 8928
- (R3) INDICATES RECORD DATA PER ROS 11796
- (R4) INDICATES RECORD DATA PER ROS 13238
- (R5) INDICATES RECORD DATA PER ROS 15654
- RECORD DATA SHOWN HEREON IS RECORD OR CALC'D PER NOTED REFERENCE.
- ① INDICATES REDSPRINK ACCESS EASEMENT RESERVED HEREON. SEE DETAIL 'A' ABOVE.
- ② INDICATES 20.06' ACCESS EASEMENT.

**HARDING AVENUE**  
 N172°55'11" W 75.00'

**18TH STREET**  
 N172°55'11" W 113.18'

**ALLEY**  
 N172°55'11" W 25.00'

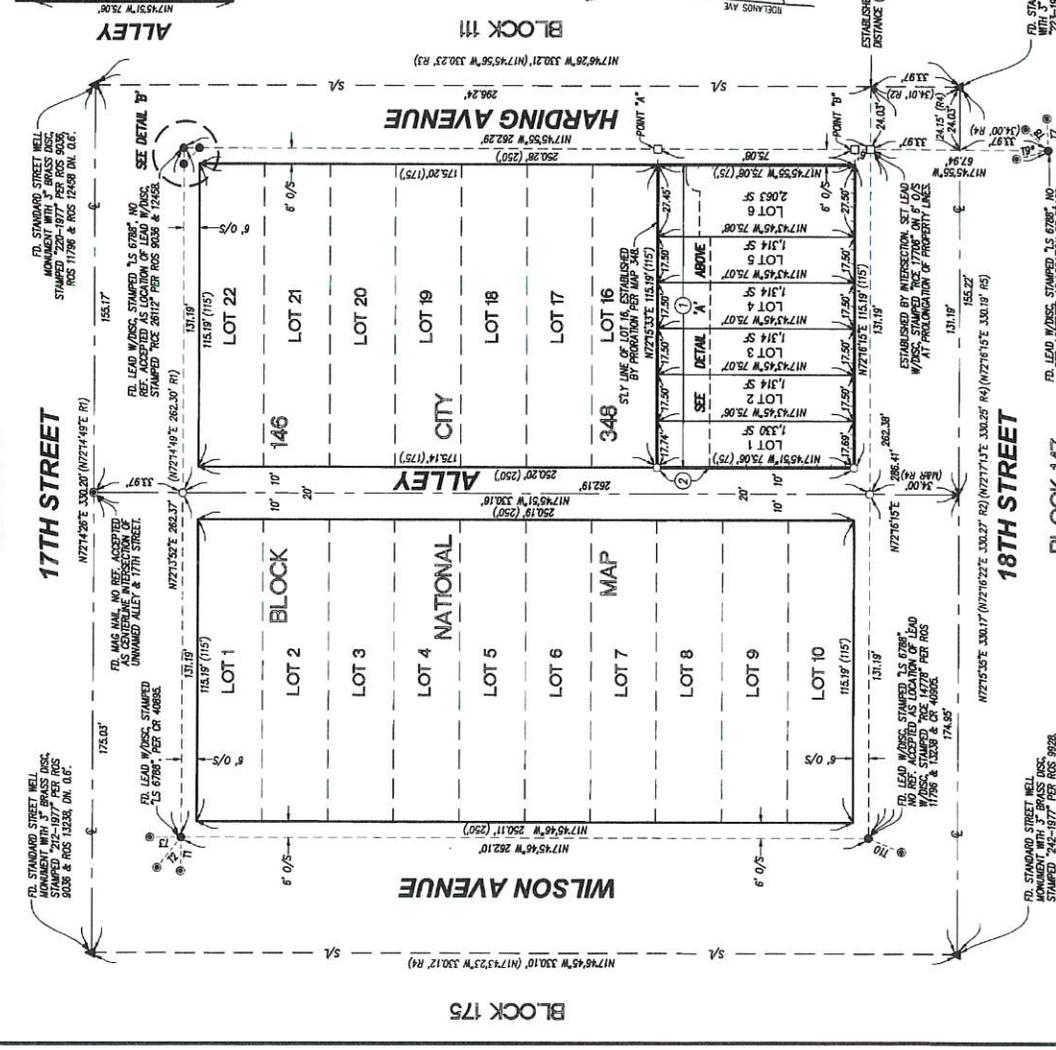
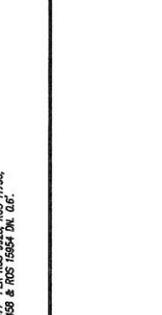
LINE NO.	LINE DATA	BEARING	DISTANCE
L1	N172°55'11" W	113.18'	4.00'
L2	N172°55'11" W	17.42'	17.42'
L3	N172°55'11" W	0.33'	0.33'
L4	N172°55'11" W	14.83'	14.83'

NO.	AMOUNT	DATE	AREA
1	5.00'	5/20/2017	7.25'



**THE DATA**

NO.	DISTANCE	RECORD	REFERENCE
17	12.87'	NO RECORD	CR 40885
18	11.90'	NO RECORD	CR 40885
19	11.90'	NO RECORD	CR 40885
20	11.90'	NO RECORD	CR 40885
21	11.90'	NO RECORD	CR 40885
22	11.90'	NO RECORD	CR 40885
23	11.90'	NO RECORD	CR 40885
24	11.90'	NO RECORD	CR 40885
25	11.90'	NO RECORD	CR 40885
26	11.90'	NO RECORD	CR 40885
27	11.90'	NO RECORD	CR 40885
28	11.90'	NO RECORD	CR 40885
29	11.90'	NO RECORD	CR 40885
30	11.90'	NO RECORD	CR 40885





**DAN McALLISTER**  
 San Diego County  
 Treasurer-Tax Collector  
 1600 Pacific Highway, Room 162  
 San Diego, CA 92101



DOC# 2021-6000023



Mar 04, 2021 11:59 AM  
 Ernest J. Dronenburg, Jr.,  
 SAN DIEGO COUNTY RECORDER  
 FEES: \$8.00 PAGES: 1  
 FILED

Recording Requested By and  
 When Recorded Mail To:

*SAN DIEGO HABITAT FOR HUMANITY  
 405-419 W. 10th STREET  
 NATIONAL CITY, CA 91950*

THIS SPACE RESERVED FOR THE RECORDER'S OFFICE USE

This certificate must be filed with the San Diego County Recorder, and a conformed copy delivered to the appropriate legislative bodies within the County of San Diego

**MAP TAX CLEARANCE CERTIFICATE**

No **21-011**  
 TTC FILE NO. 6786

STATE OF CALIFORNIA )  
 ) ss:  
 COUNTY OF SAN DIEGO )

I, Dan McAllister, certify that I am the duly qualified and elected Treasurer - Tax Collector of the County of San Diego, State of California; that I have examined the records of my office as to delinquent taxes and assessments collected by the County of San Diego for the property within the subdivision or parcel map known as:

**SAN DIEGO HABITAT FOR HUMANITY CASE FILE NO. 2019-08 S  
 IN THE CITY OF NATIONAL CITY**

A final map is about to be filed with the appropriate legislative body in the County of San Diego for approval; and I hereby certify that according to the records of this office, there are NO liens against said subdivision or parcel map, or any part thereof, for unpaid State, County, Municipal or local taxes or special assessments collected as taxes for the lien date fiscal year 2020-21, except taxes or special assessments not yet payable.

I further certify that there are against the parcel or parcels of real property within which the subdivision or parcel map is situated a lien for State, County, and local taxes, and special assessments collected as taxes which are not yet payable, and which I estimate as follows:

Tax Surety Bond Required **YES**

Bond Required for State, County, School and Special District Taxes: **\$0.00**

Located in City of National City

**THIS CERTIFICATE VOID AFTER:**

**September 20, 2021**

IN WITNESS WHEREOF,  
 I have hereunto set my hand this date

**February 4, 2021**

DAN McALLISTER  
 SAN DIEGO COUNTY TREASURER-TAX COLLECTOR

There are 1 Parcel Number(s):  
 559-085-08-00

By: *Fortunata Pena*  
 Deputy, Fortunata Pena

**RESOLUTION NO. 2021 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING THE 405 WEST 18<sup>TH</sup> STREET FINAL SUBDIVISION MAP, CASE FILE NUMBER 2019-08 S, AND AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN THE MAP**

**WHEREAS**, San Diego Habitat for Humanity, owner of the property located at the northwest corner of West 18<sup>th</sup> Street and Harding Avenue, APN 559-085-08; and

**WHEREAS**, the owner has proposed a subdivision of the property into six (6) lots to build six (6) new custom townhomes; and

**WHEREAS**, the parcel is currently vacant and approximately 8,649 square feet in size; and

**WHEREAS**, on August 20, 2019, following a Public Hearing, City Council adopted Resolution No. 2019-119 approving the tentative subdivision map; and

**WHEREAS**, the City Engineer reviewed the map and acknowledged that the subdivision is substantially the same as it appeared on the tentative map and any approved alterations thereof; and

**WHEREAS**, the City Engineer confirmed that the map complies with the Subdivision Map Act and National City Municipal Chapter 17, Subdivisions; and

**WHEREAS**, the City Engineer utilized Peter Golding, a State of California Licensed Land Surveyor, to review the map for technical correctness and sign the map acknowledging that it is technically correct; and

**WHEREAS**, City staff recommends the approval of the 405 West 18th Street Final Subdivision Map, Case File Number 2019-08 S, and for the Mayor and City Clerk to sign the map for recording and filing with the San Diego County Recorder's Office.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council of the City of National City hereby approves the 405 West 18<sup>th</sup> Street Final Subdivision Map, Case File Number 2019-08 S.

**Sections 2:** That the City Council of the City of National City authorizes the Mayor and City Clerk to sign the map for recording and filing with the San Diego Recorder's Office.

**Section 3:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolution.

Resolution No. 2021 –  
Page Two

**PASSED and ADOPTED this 6<sup>th</sup> day of April, 2021.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

\_\_\_\_\_  
Luz Molina, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charles E. Bell Jr., City Attorney

The following page(s) contain the backup material for Agenda Item: [Investment Report for the quarter ended December 31, 2020. \(Finance\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Investment Report for the quarter ended December 31, 2020.

**PREPARED BY:** *Ronald Gutlay*

**PHONE:** 619-336-4346

**DEPARTMENT:** Finance

**APPROVED BY:** \_\_\_\_\_

*Patricia Thompson*

**EXPLANATION:**

See attached staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

See attached staff report.

**APPROVED:** \_\_\_\_\_

*Alvin W. S.*

**FINANCE**

**APPROVED:** \_\_\_\_\_

**MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Accept and File the Investment Report for the Quarter ended December 31, 2020.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Staff Report
2. Investment Listings



## City Council Staff Report

April 6, 2021

### ITEM

Staff Report: Investment Report for the quarter ended December 31, 2020.

### BACKGROUND

The California Government Code (§53646(b)) requires that, when the treasurer or the chief fiscal officer of a local agency renders to the legislative body of the agency a quarterly report on the agency's investment portfolio, such report shall include the following information regarding all securities, investments, and moneys held by the local agency:

- type of investment;
- issuer (bank or institution);
- date of maturity;
- dollar amount invested; and
- current market valuation as of the date of the report.

In addition, the Government Code (§53646(b)(2)) requires that the report state the City's compliance with its investment policy and include a statement regarding the ability of the local agency to meet its pool's ability to meet its expenditure requirements Code (§53646(b)(3)).

### OVERVIEW OF CITY INVESTMENTS

The City's pooled investment portfolio balance as of December 31, 2020 is summarized below and compared to the balance as of December 31, 2019.

**Table 1**

	12/31/2020	12/31/2019
Book Value <sup>1</sup>	\$ 72,730,675	\$ 73,926,014
Market Value <sup>2</sup>	\$ 73,813,476	\$ 74,521,149

<sup>1</sup> actual cost of investments

<sup>2</sup> amount at which the investments could be sold

The assets of the City of National City's investment portfolio are managed by Chandler Asset Management, the California Treasurer's Local Agency Investment Fund (LAIF), and the San Diego County Treasurer's Pooled Money Fund ("San Diego County Pool") with the largest portion of the assets, 49.37%. The San Diego County Pool and LAIF are liquid investment pools

that allow participants to earn market rate returns, while retaining access to funds within 24 to 48 hours of a withdrawal request with no penalty. The City’s assets managed by Chandler Asset Management may be liquidated and withdrawn at any time. However, these investments likely do not provide the short liquidity (i.e., quick access to funds) of the pooled money funds, and liquidation of these investments is at the risk of loss and/or penalty to the City.

Summaries of the City’s investment portfolio are illustrated below.

**INVESTMENT PORTFOLIO SUMMARY BY ISSUER/MANAGER**

**As of December 31, 2020**

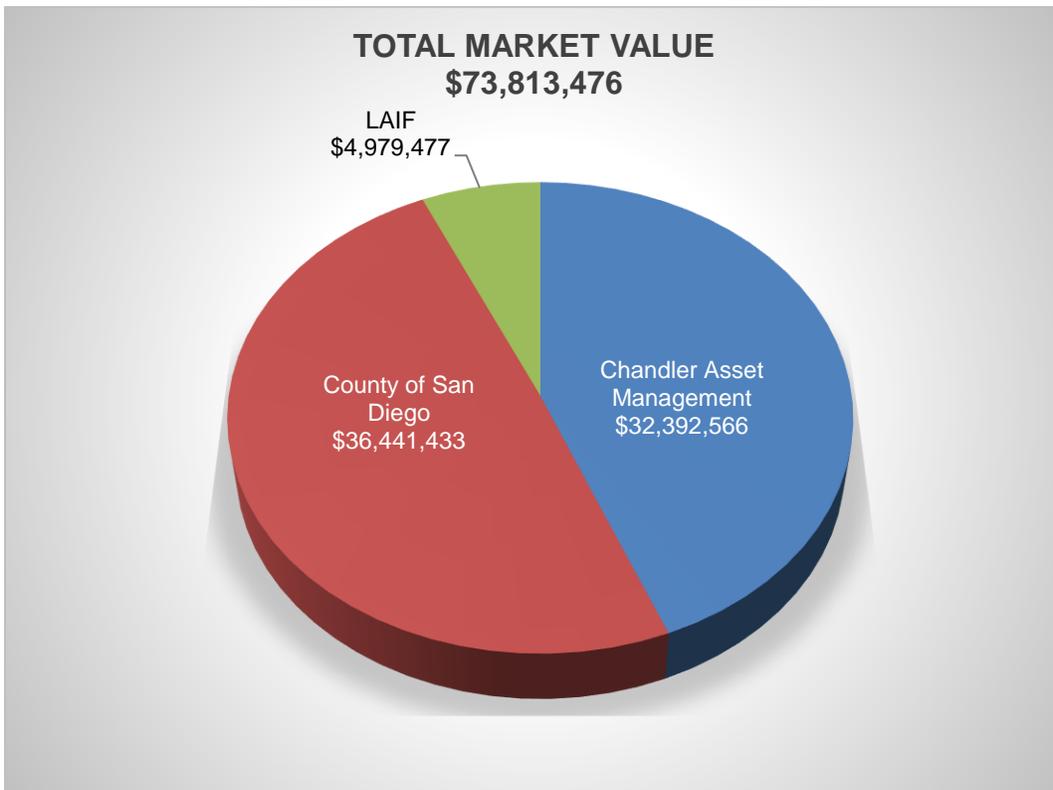
**Table 2**

Issuer/Manager	Book Value	Total Market Value <sup>1</sup>	Market YTM	% of Portfolio
Chandler Asset Management	31,525,900	32,392,566	0.20%	43.88%
County of San Diego	36,244,740	36,441,433	0.88%	49.37%
Local Agency Investment Fund	4,960,035	4,979,477 <sup>2</sup>	0.54% <sup>3</sup>	6.75%
<b>Totals for December 31, 2020</b>	<b>\$72,730,675</b>	<b>\$73,813,476</b>		<b>100.00%</b>

<sup>1</sup> includes accrued interest

<sup>2</sup> includes LAIF participation factor of 1.002271318

<sup>3</sup> calculated on 30/360 basis



**INVESTMENT PERFORMANCE BY ISSUER/MANAGER****For the Quarter Ended December 31, 2020**

Issuer/Manager	12/31/20	9/30/20	Change	Period Return	Yield (Net) <sup>3</sup>
Chandler Asset Management	\$32,392,566	\$32,352,256	\$40,310	0.15%	NA
County of San Diego	\$36,441,433	\$36,508,945	(67,512)	0.10%	0.41%
Local Agency Investment Fund	\$4,979,477	\$6,386,101	(\$1,406,624)	0.16%	0.63%
Totals for December 31, 2020	\$73,813,476	\$75,247,302	(\$1,433,826) <sup>2</sup>	0.43% <sup>4</sup>	

<sup>1</sup> includes accrued interest

<sup>2</sup> total include deposits and withdrawal(s) of: withdrawals 10/15/20 \$1,400,000

<sup>3</sup> annualized

<sup>4</sup> weighted

**Economic Update:**

Financial market participants are mostly shrugging off current economic data, which have been somewhat soft, in anticipation of a stronger recovery later this year. The recent passage of a \$900 billion COVID-19 fiscal relief bill should help cushion the economy over the next few months, and an additional \$1.9 trillion relief package is currently under negotiation. Meanwhile, the White House is also crafting a proposal for a ~\$2 trillion infrastructure spending plan. Although the economy and labor market continue to face significant headwinds from the pandemic, we believe robust fiscal spending, along with the Fed's highly accommodative monetary policy framework should continue to provide support for the financial markets. There has also been meaningful progress on vaccines, and we expect widespread distribution in the second and third quarter of 2021, which should help accelerate consumer spending and overall economic activity later this year.

The Federal Open Market Committee (FOMC) kept monetary policy unchanged at their January meeting as expected, with the fed funds target rate in a range of 0.0% to 0.25%. The Fed also continues to purchase \$80 billion of Treasuries per month, and \$40 billion of agency mortgage-backed securities per month. The Fed intends to remain highly accommodative until their goals of maximum employment and higher inflation are achieved. Fed Chair Powell said it would be premature to begin talking about tapering their asset purchases and said they will telegraph their plans well in advance of any changes in monetary policy. Notably, Chair Powell also said that the Fed believes inflation will pick up in the coming months, but the increase is likely to be transient. As such, we expect the Fed to look through any near-term increase in inflation, even if it begins to exceed 2.0% this spring, and is likely to keep policy on hold for at least the next 6-12 months. The next FOMC meeting is scheduled for March 16-17, 2021.

In 2020, the yield on 2-year Treasuries was down 145 basis points to 0.12% and the yield on 10-year Treasuries was down about 100 basis points to 0.91%. The yield curve steepened modestly at year-end and continued to steepen in January, likely due in part to favorable developments on the vaccine front. In January, the yield on 2-year Treasuries edged down about one basis point while the yield on 10-year Treasuries increased 15 basis points. We believe the Treasury yield curve is poised to steepen modestly further in 2021 as the economy reopens, driven by an increase in longer-term rates as the front end of the curve is likely to remain anchored near 0.0%.

### COMPLIANCE STATEMENT

All of the City's investments are in compliance with the City's investment policy (City Council Policy No. 203) and the California Government Code (§53601 et seq).

### FINANCIAL STATEMENT

Realized and unrealized gains for the period, reflected below, were \$90,241. These changes include changes in security market values, gain or loss from the sale of assets, accrued interest, and reinvested interest/earnings.

**Table 4**

Issuer/Manager	Gain/(Loss)
Chandler Asset Management	\$ 44,887
County of San Diego	37,178
LAIF	8,176
Totals for December 31, 2020	\$ 90,241

The difference between the changes reflected in the previous two tables is attributable to the purchase and sale of securities for which the first of the tables accounts but the second table typically does not (unless an investment is sold before maturity).

### STAFF CERTIFICATION

Staff certifies that there are sufficient funds to meet the pool's expenditure requirements.

### RECOMMENDATIONS

Accept and file the Investment Report for the quarter ended December 31, 2020.



# City of National City - Account #10162

## MONTHLY ACCOUNT STATEMENT

DECEMBER 1, 2020 THROUGH DECEMBER 31, 2020

### Chandler Team:

For questions about your account, please call (800) 317-4747,  
or contact [operations@chandlerasset.com](mailto:operations@chandlerasset.com)

### Custodian

Bank of New York Mellon  
Lauren Dehner  
(904) 645-1918

**CHANDLER ASSET MANAGEMENT**  
chandlerasset.com

*Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Please see Important Disclosures.*



**PORTFOLIO CHARACTERISTICS**

Average Modified Duration	1.80
Average Coupon	1.67%
Average Purchase YTM	1.64%
Average Market YTM	0.20%
Average S&P/Moody Rating	AA+/Aa1
Average Final Maturity	1.95 yrs
Average Life	1.84 yrs

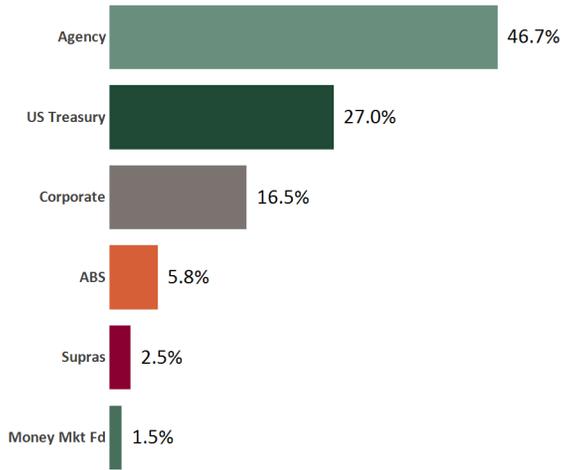
**ACCOUNT SUMMARY**

	Beg. Values as of 11/30/20	End Values as of 12/31/20
Market Value	32,234,314	32,268,916
Accrued Interest	130,510	123,650
<b>Total Market Value</b>	<b>32,364,824</b>	<b>32,392,566</b>
Income Earned	45,620	44,887
Cont/WD		-2,324
Par	31,436,681	31,486,998
Book Value	31,480,464	31,525,900
Cost Value	31,480,464	31,525,900

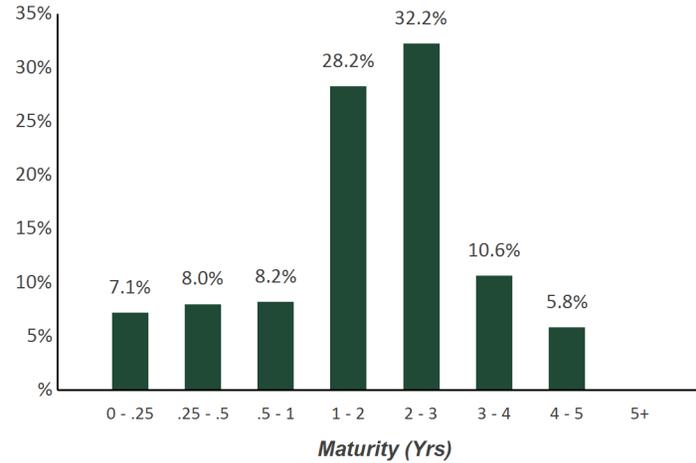
**TOP ISSUERS**

Government of United States	27.0%
Federal Home Loan Mortgage Corp	17.7%
Federal Home Loan Bank	13.7%
Federal National Mortgage Assoc	13.5%
Apple Inc	2.3%
Honda ABS	1.9%
Federal Farm Credit Bank	1.8%
Toyota ABS	1.7%
<b>Total</b>	<b>79.5%</b>

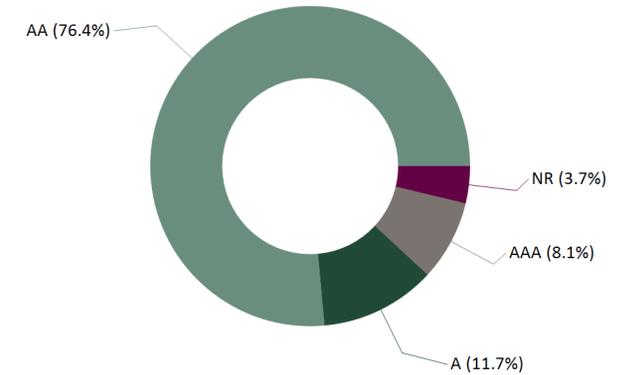
**SECTOR ALLOCATION**



**MATURITY DISTRIBUTION**



**CREDIT QUALITY (S&P)**



**PERFORMANCE REVIEW**

TOTAL RATE OF RETURN	1M	3M	YTD	1YR	Annualized				
					2YRS	3YRS	5YRS	10YRS	2/29/2012
City of National City	0.09%	0.15%	3.20%	3.20%	3.55%	2.93%	2.14%	N/A	1.44%
ICE BAML 1-3 Yr US Treasury/Agency Index	0.05%	0.05%	3.09%	3.09%	3.32%	2.74%	1.91%	N/A	1.31%
ICE BAML 1-3 Yr US Corp/Govt Rated AAA-A Index	0.07%	0.13%	3.24%	3.24%	3.53%	2.90%	2.09%	N/A	1.50%

# Statement of Compliance

As of December 31, 2020



## City of National City

Assets managed by Chandler Asset Management are in full compliance with state law and with the City's investment policy.

Category	Standard	Comment
Municipal Securities	"A" rated or better by two NRSROs; 30% maximum; 5% max per issuer; Include bonds of the City, the State of California, any other state, and any local agency within the State of California; Bonds will be registered in the name of the City or held under a custodial agreement at a bank.	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Supranationals	"AA" rated category or higher by a NRSRO; 30% maximum; 10% max per issuer; U.S. dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by IBRD, IFC, IADB	Complies
Banker's Acceptances	"A-1" short-term debt rated or higher by at least two NRSROs; and "A" long term debt rated by two NRSROs; 40% maximum; 5% max per issuer; 180 days max maturity	Complies
Commercial Paper	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 25% maximum; 5% max per issuer; 270 days max maturity; Issuer is a corporation organized and operating in the U.S. with assets > \$500 million.	Complies
FDIC insured Time Deposits/ Certificates of Deposit	Amount per institution limited to the max covered under FDIC; 30% maximum combined certificates of deposit including CDARS	Complies
Negotiable Certificates of Deposit	"A" long-term debt rated or higher by at least two NRSROs; and/or "A1" short-term debt rated or higher by at least two NRSROs; 30% maximum; 5% max per issuer	Complies
Corporate Medium Term Notes	"A" rated category or better by at least two NRSROs; 30% maximum; 5% max per issuer; Issued by corporations organized and operating within the U.S. or by depository institutions licensed by U.S. or any state and operating within the U.S.	Complies
Money Market Mutual Funds	Highest rating or AAA rated or equivalent by at least two NRSROs; 20% maximum; SEC registered with assets under management in excess of \$500 million	Complies
Mortgage Pass-throughs and Asset Backed Securities	"AA" rating category or better by a NRSRO; 20% maximum	Complies
Local Agency Investment Fund (LAIF)	Maximum permitted amount in LAIF; Currently not used by investment adviser	Complies
Local Government Investment Pools	San Diego County Investment Pool	Complies
Prohibited Securities	Inverse floaters; Ranges notes; Interest-only strips from mortgaged backed securities; Zero interest accrual securities; Reverse Repurchase Agreements; Foreign currency denominated sec	Complies
Callable Securities	20% maximum (does not include "make whole call" securities)	Complies
Maximum Issuer	5% max per issuer, except as noted in Section VIII of the investment policy	Complies
Maximum maturity	5 years	Complies

# Reconciliation Summary

As of December 31, 2020



BOOK VALUE RECONCILIATION		
<b>BEGINNING BOOK VALUE</b>		<b>\$31,480,464.17</b>
<b>Acquisition</b>		
+ Security Purchases	\$698,824.22	
+ Money Market Fund Purchases	\$1,117,808.65	
+ Money Market Contributions	\$0.00	
+ Security Contributions	\$0.00	
+ Security Transfers	\$0.00	
<b>Total Acquisitions</b>		<b>\$1,816,632.87</b>
<b>Dispositions</b>		
- Security Sales	\$0.00	
- Money Market Fund Sales	\$698,857.87	
- MMF Withdrawals	\$2,323.52	
- Security Withdrawals	\$0.00	
- Security Transfers	\$0.00	
- Other Dispositions	\$0.00	
- Maturities	\$624,718.75	
- Calls	\$400,000.00	
- Principal Paydowns	\$41,310.17	
<b>Total Dispositions</b>		<b>\$1,767,210.31</b>
<b>Amortization/Accretion</b>		
+/- Net Accretion	\$0.00	
		\$0.00
<b>Gain/Loss on Dispositions</b>		
+/- Realized Gain/Loss	(\$3,986.79)	
		(\$3,986.79)
<b>ENDING BOOK VALUE</b>		<b>\$31,525,899.94</b>

CASH TRANSACTION SUMMARY		
<b>BEGINNING BALANCE</b>		<b>\$60,603.64</b>
<b>Acquisition</b>		
Contributions	\$0.00	
Security Sale Proceeds	\$0.00	
Accrued Interest Received	\$0.00	
Interest Received	\$47,579.98	
Dividend Received	\$1.83	
Principal on Maturities	\$624,718.75	
Interest on Maturities	\$281.25	
Calls/Redemption (Principal)	\$400,000.00	
Interest from Calls/Redemption	\$3,916.67	
Principal Paydown	\$41,310.17	
<b>Total Acquisitions</b>	<b>\$1,117,808.65</b>	
<b>Dispositions</b>		
Withdrawals	\$2,323.52	
Security Purchase	\$698,824.22	
Accrued Interest Paid	\$33.65	
<b>Total Dispositions</b>	<b>\$701,181.39</b>	
<b>ENDING BOOK VALUE</b>		<b>\$477,230.90</b>

Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
<b>FIXED INCOME</b>						
037833AK6	Apple Inc Note 2.4% Due 05/03/2023	Various Various 700,000.00	700,739.00 0.00 0.00 700,739.00	1,306.67 0.00 2,706.67 1,400.00	0.00 0.00 0.00 1,400.00	1,400.00
06051GEU9	Bank of America Corp Note 3.3% Due 01/11/2023	12/27/2018 12/31/2018 400,000.00	393,500.00 0.00 0.00 393,500.00	5,133.33 0.00 6,233.33 1,100.00	0.00 0.00 0.00 1,100.00	1,100.00
06406RAA5	Bank of NY Mellon Corp Callable Note Cont 1/7/2022 2.6% Due 02/07/2022	08/14/2018 08/16/2018 400,000.00	392,152.00 0.00 0.00 392,152.00	3,293.33 0.00 4,160.00 866.67	0.00 0.00 0.00 866.67	866.67
084670BR8	Berkshire Hathaway Callable Note Cont 1/15/2023 2.75% Due 03/15/2023	08/26/2019 08/28/2019 400,000.00	412,068.00 0.00 0.00 412,068.00	2,322.22 0.00 3,238.89 916.67	0.00 0.00 0.00 916.67	916.67
24422EUR8	John Deere Capital Corp Note 3.45% Due 01/10/2024	03/14/2019 03/18/2019 400,000.00	408,860.00 0.00 0.00 408,860.00	5,405.00 0.00 6,555.00 1,150.00	0.00 0.00 0.00 1,150.00	1,150.00
3130A0F70	FHLB Note 3.375% Due 12/08/2023	01/30/2019 01/31/2019 525,000.00	540,734.25 0.00 0.00 540,734.25	8,514.84 8,859.38 1,132.03 1,476.57	0.00 0.00 0.00 1,476.57	1,476.57
3130A1XJ2	FHLB Note 2.875% Due 06/14/2024	Various Various 580,000.00	605,009.60 0.00 0.00 605,009.60	7,735.34 8,337.50 787.44 1,389.60	0.00 0.00 0.00 1,389.60	1,389.60
3130A2UW4	FHLB Note 2.875% Due 09/13/2024	10/29/2019 10/30/2019 300,000.00	315,474.00 0.00 0.00 315,474.00	1,868.75 0.00 2,587.50 718.75	0.00 0.00 0.00 718.75	718.75
3130A3KM5	FHLB Note 2.5% Due 12/09/2022	09/10/2019 09/13/2019 575,000.00	591,174.75 0.00 0.00 591,174.75	6,868.06 7,187.50 878.47 1,197.91	0.00 0.00 0.00 1,197.91	1,197.91

## Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
3130A7CV5	FHLB Note 1.375% Due 02/18/2021	10/13/2016 10/14/2016 490,000.00	490,960.40 0.00 0.00 490,960.40	1,927.67 0.00 2,489.13 561.46	0.00 0.00 0.00 561.46	561.46
3130AABG2	FHLB Note 1.875% Due 11/29/2021	03/08/2017 03/09/2017 565,000.00	559,044.90 0.00 0.00 559,044.90	58.85 0.00 941.67 882.82	0.00 0.00 0.00 882.82	882.82
313378WG2	FHLB Note 2.5% Due 03/11/2022	03/13/2018 03/14/2018 600,000.00	596,646.00 0.00 0.00 596,646.00	3,333.33 0.00 4,583.33 1,250.00	0.00 0.00 0.00 1,250.00	1,250.00
313379Q69	FHLB Note 2.125% Due 06/10/2022	06/20/2017 06/21/2017 600,000.00	607,110.00 0.00 0.00 607,110.00	6,056.25 6,375.00 743.75 1,062.50	0.00 0.00 0.00 1,062.50	1,062.50
3133ELWD2	FFCB Note 0.375% Due 04/08/2022	04/03/2020 04/08/2020 565,000.00	564,163.80 0.00 0.00 564,163.80	311.93 0.00 488.49 176.56	0.00 0.00 0.00 176.56	176.56
3135G04Q3	FNMA Note 0.25% Due 05/22/2023	05/20/2020 05/22/2020 645,000.00	643,058.55 0.00 0.00 643,058.55	40.31 0.00 174.69 134.38	0.00 0.00 0.00 134.38	134.38
3135G05G4	FNMA Note 0.25% Due 07/10/2023	07/08/2020 07/10/2020 560,000.00	558,796.00 0.00 0.00 558,796.00	548.33 0.00 665.00 116.67	0.00 0.00 0.00 116.67	116.67
3135G06H1	FNMA Note 0.25% Due 11/27/2023	11/23/2020 11/25/2020 580,000.00	579,338.80 0.00 0.00 579,338.80	24.17 0.00 145.00 120.83	0.00 0.00 0.00 120.83	120.83
3135G0N82	FNMA Note 1.25% Due 08/17/2021	01/26/2017 01/31/2017 440,000.00	425,444.80 0.00 0.00 425,444.80	1,588.89 0.00 2,047.22 458.33	0.00 0.00 0.00 458.33	458.33

Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
3135G0T78	FNMA Note 2% Due 10/05/2022	12/12/2017 12/13/2017 500,000.00	494,215.00 0.00 0.00 494,215.00	1,555.56 0.00 2,388.89 833.33	0.00 0.00 0.00 833.33	833.33
3135G0U27	FNMA Note 2.5% Due 04/13/2021	07/23/2018 07/24/2018 300,000.00	297,771.00 0.00 0.00 297,771.00	1,000.00 0.00 1,625.00 625.00	0.00 0.00 0.00 625.00	625.00
3135G0W33	FNMA Note 1.375% Due 09/06/2022	09/05/2019 09/06/2019 625,000.00	622,825.00 0.00 0.00 622,825.00	2,029.08 0.00 2,745.23 716.15	0.00 0.00 0.00 716.15	716.15
3135G0X24	FNMA Note 1.625% Due 01/07/2025	01/16/2020 01/17/2020 625,000.00	623,050.00 0.00 0.00 623,050.00	4,062.50 0.00 4,908.85 846.35	0.00 0.00 0.00 846.35	846.35
3137EADB2	FHLMC Note 2.375% Due 01/13/2022	Various Various 575,000.00	585,310.00 0.00 0.00 585,310.00	5,234.90 0.00 6,372.92 1,138.02	0.00 0.00 0.00 1,138.02	1,138.02
3137EAEL9	FHLMC Note 2.375% Due 02/16/2021	03/13/2018 03/14/2018 600,000.00	598,068.00 0.00 0.00 598,068.00	4,156.25 0.00 5,343.75 1,187.50	0.00 0.00 0.00 1,187.50	1,187.50
3137EAEN5	FHLMC Note 2.75% Due 06/19/2023	11/26/2018 11/27/2018 600,000.00	593,214.00 0.00 0.00 593,214.00	7,425.00 8,250.00 550.00 1,375.00	0.00 0.00 0.00 1,375.00	1,375.00
3137EAEP0	FHLMC Note 1.5% Due 02/12/2025	06/04/2020 06/05/2020 625,000.00	652,443.75 0.00 0.00 652,443.75	2,838.54 0.00 3,619.79 781.25	0.00 0.00 0.00 781.25	781.25
3137EAER6	FHLMC Note 0.375% Due 05/05/2023	05/05/2020 05/07/2020 600,000.00	599,748.00 0.00 0.00 599,748.00	162.50 0.00 350.00 187.50	0.00 0.00 0.00 187.50	187.50

## Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
3137EAEV7	FHLMC Note 0.25% Due 08/24/2023	08/27/2020 08/31/2020 900,000.00	899,037.00 0.00 0.00 899,037.00	625.00 0.00 812.50 187.50	0.00 0.00 0.00 187.50	187.50
3137EAEX3	FHLMC Note 0.375% Due 09/23/2025	09/24/2020 09/25/2020 450,000.00	448,857.00 0.00 0.00 448,857.00	309.38 0.00 450.00 140.62	0.00 0.00 0.00 140.62	140.62
3137EAEY1	FHLMC Note 0.125% Due 10/16/2023	10/14/2020 10/16/2020 630,000.00	627,650.10 0.00 0.00 627,650.10	98.44 0.00 164.06 65.62	0.00 0.00 0.00 65.62	65.62
3137EAEZ8	FHLMC Note 0.25% Due 11/06/2023	11/17/2020 11/18/2020 650,000.00	649,467.00 0.00 0.00 649,467.00	117.36 0.00 252.78 135.42	0.00 0.00 0.00 135.42	135.42
369550BE7	General Dynamics Corp Note 3% Due 05/11/2021	Various Various 400,000.00	397,216.30 0.00 0.00 397,216.30	666.66 0.00 1,666.66 1,000.00	0.00 0.00 0.00 1,000.00	1,000.00
43813KAC6	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	09/22/2020 09/29/2020 250,000.00	249,963.28 0.00 0.00 249,963.28	33.40 77.08 33.40 77.08	0.00 0.00 0.00 77.08	77.08
43813RAC1	Honda Auto Receivables 2020-1 A3 1.61% Due 04/22/2024	02/19/2020 02/26/2020 70,000.00	69,986.28 0.00 0.00 69,986.28	31.31 93.92 31.31 93.92	0.00 0.00 0.00 93.92	93.92
43814UAG4	Honda Auto Receivables Trust 2018-2 A3 3.01% Due 05/18/2022	05/22/2018 05/30/2018 64,576.27	74,280.78 0.00 9,705.92 64,574.86	80.74 186.32 70.19 175.77	0.00 0.00 0.00 175.77	175.77
43814WAB1	Honda Auto Receivables Trust 2019-1 A2 Due 09/20/2021	02/19/2019 02/27/2019 0.00	1,596.32 0.00 1,596.32 0.00	1.59 3.66 0.00 2.07	0.00 0.00 0.00 2.07	2.07

Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
43815HAC1	Honda Auto Receivables Trust 2018-3 A3 2.95% Due 08/22/2022	08/21/2018 08/28/2018 115,080.89	128,084.22 0.00 13,019.12 115,065.10	104.97 314.92 94.30 304.25	0.00 0.00 0.00 304.25	304.25
43815NAC8	Honda Auto Receivables Trust 2019-3 A3 1.78% Due 08/15/2023	08/20/2019 08/27/2019 100,000.00	99,999.17 0.00 0.00 99,999.17	79.11 148.33 79.11 148.33	0.00 0.00 0.00 148.33	148.33
459058JM6	Intl. Bank Recon & Development Note 0.25% Due 11/24/2023	11/17/2020 11/24/2020 320,000.00	319,312.00 0.00 0.00 319,312.00	15.56 0.00 82.22 66.66	0.00 0.00 0.00 66.66	66.66
45950KCM0	International Finance Corp Note 2.25% Due 01/25/2021	01/24/2018 01/26/2018 500,000.00	498,580.00 0.00 0.00 498,580.00	3,937.50 0.00 4,875.00 937.50	0.00 0.00 0.00 937.50	937.50
46625HJE1	JP Morgan Chase Note 3.25% Due 09/23/2022	12/19/2019 12/24/2019 400,000.00	413,076.00 0.00 0.00 413,076.00	2,455.56 0.00 3,538.89 1,083.33	0.00 0.00 0.00 1,083.33	1,083.33
477870AC3	John Deere Owner Trust 2019-B A3 2.21% Due 12/15/2023	07/16/2019 07/24/2019 115,000.00	114,975.59 0.00 0.00 114,975.59	112.96 211.79 112.96 211.79	0.00 0.00 0.00 211.79	211.79
47787NAC3	John Deere Owner Trust 2020-B A3 0.51% Due 11/15/2024	07/14/2020 07/22/2020 75,000.00	74,988.57 0.00 0.00 74,988.57	17.00 31.88 17.00 31.88	0.00 0.00 0.00 31.88	31.88
47789KAC7	John Deere Owner Trust 2020-A A3 1.1% Due 08/15/2024	03/04/2020 03/11/2020 170,000.00	169,989.61 0.00 0.00 169,989.61	83.11 155.83 83.11 155.83	0.00 0.00 0.00 155.83	155.83
65479JAD5	Nissan Auto Receivables Owner 2019-C A3 1.93% Due 07/15/2024	10/16/2019 10/23/2019 360,000.00	359,980.99 0.00 0.00 359,980.99	308.80 579.00 308.80 579.00	0.00 0.00 0.00 579.00	579.00

Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
68389XBK0	Oracle Corp Callable Note Cont 8/15/2021 1.9% Due 09/15/2021	10/26/2017 10/31/2017 400,000.00	395,816.00 0.00 0.00 395,816.00	1,604.44 0.00 2,237.78 633.34	0.00 0.00 0.00 633.34	633.34
69353RFE3	PNC Bank Callable Note Cont 6/28/2022 2.45% Due 07/28/2022	04/24/2018 04/26/2018 400,000.00	385,792.00 0.00 0.00 385,792.00	3,348.33 0.00 4,165.00 816.67	0.00 0.00 0.00 816.67	816.67
857477AV5	State Street Bank Note 1.95% Due 05/19/2021	07/12/2017 07/17/2017 400,000.00	396,056.00 0.00 0.00 396,056.00	260.00 0.00 910.00 650.00	0.00 0.00 0.00 650.00	650.00
89232HAC9	Toyota Auto Receivable Own 2020-A A3 1.66% Due 05/15/2024	06/17/2020 06/19/2020 240,000.00	245,531.25 0.00 0.00 245,531.25	177.07 332.00 177.07 332.00	0.00 0.00 0.00 332.00	332.00
89236TFS9	Toyota Motor Credit Corp Note 3.35% Due 01/08/2024	05/20/2019 05/22/2019 400,000.00	411,444.00 0.00 0.00 411,444.00	5,322.78 0.00 6,439.44 1,116.66	0.00 0.00 0.00 1,116.66	1,116.66
89236XAC0	Toyota Auto Receivables 2020-D A3 0.35% Due 01/15/2025	10/06/2020 10/13/2020 100,000.00	99,981.37 0.00 0.00 99,981.37	15.56 29.17 15.56 29.17	0.00 0.00 0.00 29.17	29.17
89237VAB5	Toyota Auto Receivables Trust 2020-C A3 0.44% Due 10/15/2024	07/21/2020 07/27/2020 155,000.00	154,988.07 0.00 0.00 154,988.07	30.31 56.83 30.31 56.83	0.00 0.00 0.00 56.83	56.83
89238KAD4	Toyota Auto Receivables Trust 2017-D A3 1.93% Due 01/18/2022	Various Various 45,109.70	61,924.20 0.00 16,939.60 44,984.60	43.28 99.87 31.44 88.03	0.00 0.00 0.00 88.03	88.03
91159HHL7	US Bancorp Callable Note 1X 12/29/2020 Due 01/29/2021	07/19/2017 07/24/2017 0.00	404,036.00 0.00 404,036.00 0.00	3,185.56 3,916.67 0.00 731.11	0.00 0.00 0.00 731.11	731.11

## Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
9128284D9	US Treasury Note 2.5% Due 03/31/2023	12/27/2018 12/28/2018 450,000.00	448,505.86 0.00 0.00 448,505.86	1,916.21 0.00 2,874.31 958.10	0.00 0.00 0.00 958.10	958.10
912828G53	US Treasury Note 1.875% Due 11/30/2021	08/28/2017 08/29/2017 600,000.00	604,994.20 0.00 0.00 604,994.20	30.91 0.00 989.01 958.10	0.00 0.00 0.00 958.10	958.10
912828L24	US Treasury Note 1.875% Due 08/31/2022	09/06/2018 09/07/2018 450,000.00	435,445.31 0.00 0.00 435,445.31	2,144.34 0.00 2,866.89 722.55	0.00 0.00 0.00 722.55	722.55
912828M80	US Treasury Note 2% Due 11/30/2022	04/11/2019 04/15/2019 600,000.00	593,554.69 0.00 0.00 593,554.69	32.97 0.00 1,054.95 1,021.98	0.00 0.00 0.00 1,021.98	1,021.98
912828Q37	US Treasury Note 1.25% Due 03/31/2021	04/27/2017 04/28/2017 225,000.00	221,414.81 0.00 0.00 221,414.81	479.05 0.00 718.58 239.53	0.00 0.00 0.00 239.53	239.53
912828Q78	US Treasury Note 1.375% Due 04/30/2021	05/25/2017 05/31/2017 500,000.00	494,650.11 0.00 0.00 494,650.11	588.74 0.00 1,177.49 588.75	0.00 0.00 0.00 588.75	588.75
912828S76	US Treasury Note 1.125% Due 07/31/2021	08/28/2018 08/29/2018 600,000.00	573,375.00 0.00 0.00 573,375.00	2,256.11 0.00 2,824.73 568.62	0.00 0.00 0.00 568.62	568.62
912828TY6	US Treasury Note 1.625% Due 11/15/2022	03/03/2020 03/04/2020 600,000.00	614,484.38 0.00 0.00 614,484.38	430.94 0.00 1,265.88 834.94	0.00 0.00 0.00 834.94	834.94
912828V72	US Treasury Note 1.875% Due 01/31/2022	09/17/2018 09/18/2018 450,000.00	435,744.14 0.00 0.00 435,744.14	2,820.14 0.00 3,530.91 710.77	0.00 0.00 0.00 710.77	710.77

**Income Earned**

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
912828W71	US Treasury Note 2.125% Due 03/31/2024	12/05/2019 12/06/2019 225,000.00	229,640.63 0.00 0.00 229,640.63	814.39 0.00 1,221.58 407.19	0.00 0.00 0.00 407.19	407.19
912828W89	US Treasury Note 1.875% Due 03/31/2022	04/26/2018 04/30/2018 600,000.00	580,593.75 0.00 0.00 580,593.75	1,916.21 0.00 2,874.31 958.10	0.00 0.00 0.00 958.10	958.10
912828WE6	US Treasury Note 2.75% Due 11/15/2023	07/22/2019 07/23/2019 600,000.00	624,000.00 0.00 0.00 624,000.00	729.28 0.00 2,142.27 1,412.99	0.00 0.00 0.00 1,412.99	1,412.99
912828WN6	US Treasury Note 2% Due 05/31/2021	04/29/2019 04/30/2019 550,000.00	546,755.86 0.00 0.00 546,755.86	30.22 0.00 967.03 936.81	0.00 0.00 0.00 936.81	936.81
912828ZA1	US Treasury Note 1.125% Due 02/28/2022	03/24/2020 03/25/2020 700,000.00	709,925.78 0.00 0.00 709,925.78	2,001.38 0.00 2,675.76 674.38	0.00 0.00 0.00 674.38	674.38
912828ZD5	US Treasury Note 0.5% Due 03/15/2023	03/24/2020 03/25/2020 675,000.00	676,476.56 0.00 0.00 676,476.56	717.89 0.00 1,006.91 289.02	0.00 0.00 0.00 289.02	289.02
91282CBA8	US Treasury Note 0.125% Due 12/15/2023	12/28/2020 12/29/2020 700,000.00	0.00 698,824.22 0.00 698,824.22	0.00 (33.65) 40.87 7.22	0.00 0.00 0.00 7.22	7.22
931142EJ8	Wal-Mart Stores Note 3.125% Due 06/23/2021	07/02/2018 07/05/2018 400,000.00	402,052.00 0.00 0.00 402,052.00	5,486.11 6,250.00 277.78 1,041.67	0.00 0.00 0.00 1,041.67	1,041.67
			<b>30,795,141.78</b>	<b>130,262.27</b>	<b>0.00</b>	
			<b>698,824.22</b>	<b>51,463.00</b>	<b>0.00</b>	
			<b>445,296.96</b>	<b>123,650.19</b>	<b>0.00</b>	
<b>Total Fixed Income</b>		<b>31,009,766.86</b>	<b>31,048,669.04</b>	<b>44,850.92</b>	<b>44,850.92</b>	<b>44,850.92</b>

Income Earned

As of December 31, 2020



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
<b>CASH &amp; EQUIVALENT</b>						
60934N807	Federated Investors Govt Oblig Fund Inst.	Various Various 477,230.90	60,603.64 1,117,808.65 701,181.39 477,230.90	0.00 1.83 0.00 1.83	0.00 0.00 0.00 1.83	1.83
62479LME2	MUFG Bank Ltd Discount CP Due 12/14/2020	08/27/2020 08/28/2020 0.00	624,718.75 0.00 624,718.75 0.00	247.40 281.25 0.00 33.85	0.00 0.00 0.00 33.85	33.85
<b>Total Cash &amp; Equivalent</b>			<b>477,230.90</b>	<b>35.68</b>	<b>35.68</b>	<b>35.68</b>
<b>TOTAL PORTFOLIO</b>			<b>31,486,997.76</b>	<b>44,886.60</b>	<b>44,886.60</b>	<b>44,886.60</b>



# COUNTY OF SAN DIEGO INVESTMENT POOL TREASURY INVESTMENT RESULTS

**DEC  
2020**

# PARTICIPANT CASH BALANCES

## County of San Diego Pooled Money Fund

As of December 31, 2020

(\$000)

PARTICIPANT	FMV 10/31/20	FMV 11/30/20	FMV 12/31/20	% of Total	PARTICIPANT	FMV 10/31/20	FMV 11/30/20	FMV 12/31/20	% of Total
<b>COUNTY</b>	\$ 1,492,794	\$ 1,908,131	\$ 2,462,228	<b>19.91%</b>	Leucadia Wastewater District	6,005	6,005	7,010	
<b>COUNTY - SPECIAL TRUST FUNDS</b>	1,977,245	1,960,232	2,444,035	<b>19.76%</b>	Lower Sweetwater FPD	685	428	547	
<b>NON-COUNTY INVESTMENT FUNDS</b>	116,851	131,030	138,556	<b>1.12%</b>	Metropolitan Transit System	56,063	68,845	62,659	
<b>SCHOOLS - (K THRU 12)</b>	4,925,549	4,755,622	5,443,073	<b>44.01%</b>	Mission Resource Conservation District	102	104	115	
					North County Transit District	20,179	28,226	28,226	
<b>COMMUNITY COLLEGES</b>					North County Cemetery District	6,808	6,787	7,196	
San Diego	98,368	95,816	141,875	1.16%	North County Dispatch	4,819	5,375	4,981	
Grossmont-Cuyamaca	122,171	121,075	131,331	1.06%	North County FPD	2,991	2,790	2,799	
MiraCosta	346,403	333,640	359,696	2.91%	Otay Water District	36,448	41,454	41,455	
Palomar	203,641	202,814	230,071	1.86%	Palomar Health Care District*	0	0	0	
Southwestern	155,843	152,868	157,984	1.28%	Pomerado Cemetery District	1,887	1,870	2,045	
<b>Total Community Colleges</b>	<b>926,425</b>	<b>906,212</b>	<b>1,020,957</b>	<b>8.26%</b>	Public Agencies Self-Insurance System	3,534	3,535	3,507	
<b>FIRST 5 COMMISSION</b>	39,608	40,929	41,919		Ramona Cemetery District	1,002	978	1,029	
<b>SANCAL</b>	3,925	26	26		Rancho Santa Fe FPD	6,462	6,145	8,317	
<b>SDCERA</b>	7,874	7,760	2,166		Resource Conservation District of Greater SD*	0	0	0	
<b>CITIES</b>					Rincon del Diablo Municipal Water District	6,845	6,846	6,847	
Chula Vista	40,258	40,255	40,256		SANDAG	147,396	148,098	143,339	
Coronado	29,210	26,204	26,205		SD County Regional Airport Authority	269,412	271,219	271,227	
Del Mar	2,777	2,778	2,778		San Diego Housing Commission	22,195	22,198	22,199	
El Cajon	11	16	0		San Diego Geographic Information Source	831	937	1,066	
Encinitas	4,211	4,212	4,212		San Diego Law Library	4,723	4,738	4,734	
National City	36,435	36,440	36,441		San Diego Local Agency Formation Comm	2,574	2,431	2,318	
Oceanside*	0	0	0		San Diego Regional Training Center	576	348	297	
Solana Beach*	0	0	0		San Dieguito River Park	1,280	1,205	1,093	
<b>INDEPENDENT AGENCIES</b>					San Marcos FPD	1	1	1	
Alpine FPD	681	685	1,610		San Miguel Consolidated FPD	14,651	14,838	13,394	
Bonita-Sunnyside FPD	4,940	5,141	5,832		Santa Fe Irrigation District	4,519	4,519	4,519	
Borrego Springs FPD	1,072	1,109	1,486		Serra Cooperative Library System	0	0	0	
Canebrake County Water District	55	55	55		Upper San Luis Rey Resource Conserv Dist	71	72	74	
Deer Springs FPD	12,419	12,772	13,568		Vallecitos Water District	5,550	5,551	5,551	
Fallbrook Public Utility District	0	0	0		Valley Center FPD	949	968	1,218	
Grossmont Healthcare District	2	2	2		Valley Center Cemetery District	393	395	407	
Julian-Cuyamaca FPD	517	517	517		Valley Center Water District	19,142	18,395	18,757	
Lake Cuyamaca Rec & Park District	177	156	108		Vista FPD	3,594	3,594	4,721	
Lakeside FPD	5,741	5,230	8,754		Whispering Palms Community Services Distr	0	0	0	
					<b>Total Voluntary Participants</b>	<b>841,599</b>	<b>863,183</b>	<b>857,586</b>	<b>6.93%</b>
					<b>Pooled Money Fund Total</b>	<b>\$ 10,280,462</b>	<b>\$ 10,524,411</b>	<b>\$ 12,366,435</b>	<b>100.00%</b>

\* Footnote: The Oracle ending balances for these pool participants are under \$500. Due to rounding, the FMV will show as zero even though there is an Oracle balance.

Below is the market price for December 2020.

National City		Pool YTM: 0.876			
Conversion of Oracle Cash Balance to COSD Pool Market Price					
Month Ended December 31, 2020					
		Current Month	Prior Month	Prior Quarter	Prior Year
		12/31/2020	11/30/2020	9/30/2020	12/31/2019
COSD Pool Market Price		100.543%	100.540%	101.065%	100.396%
COSD Pool Market Value		12,366,434,378	10,524,410,956	10,338,345,638	10,974,168,588
National City percentage of MV share in COSD Pool		0.2947%	0.3462%	0.3531%	0.3247%
Fund Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077 NATIONAL CITY INVESTMENT FUND	36,244,740	36,441,433	36,440,429	36,508,945	35,629,887
Total for National City	36,244,740	36,441,433	36,440,429	36,508,945	35,629,887

Let me know if you have any questions.

Thank you,



**Robabeh (Ruby) Vahedimanesh**  
 Student worker  
**San Diego County Treasurer-Tax Collector's Office**  
 Phone: 619.531.5809 | Fax: 619.531.6056 | [www.sdttc.com](http://www.sdttc.com)



Below is the market price for November 2020.

National City		Pool YTM: 1.015			
Conversion of Oracle Cash Balance to COSD Pool Market Price					
Month Ended November 30, 2020					
		Current Month	Prior Month	Prior Quarter	Prior Year
		11/30/2020	10/31/2020	8/31/2020	11/30/2019
COSD Pool Market Price		100.540%	100.636%	101.113%	100.396%
COSD Pool Market Value		10,524,410,956	10,280,461,837	9,796,617,573	9,253,647,670
National City percentage of MV share in COSD Pool		0.3462%	0.3544%	0.3728%	0.3798%
Fund Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077 NATIONAL CITY INVESTMENT FUND	36,244,740	36,440,429	36,434,565	36,526,109	35,145,354
<b>Total for National City</b>	<b>36,244,740</b>	<b>36,440,429</b>	<b>36,434,565</b>	<b>36,526,109</b>	<b>35,145,354</b>

Let me know if you have any questions.

Thank you,

<http://www.sdtreastax.com/> style='position:absolute;margin-left:0;margin-top:0;width:52.55pt;height:52.55pt;z-index:251659264;visibility:visible;mso-wrap-style:square;mso-width-percent:0;mso-height-percent:0;mso-wrap-distance-left:0;mso-wrap-distance-top:0;mso-wrap-distance-right:9pt;mso-wrap-distance-bottom:0;mso-position-horizontal:left;mso-position-horizontal-relative:text;mso-position-vertical:absolute;mso-position-vertical-relative:text;mso-width-percent:0;mso-height-percent:0;mso-width-relative:page;mso-height-relative:page' o:button="t"> **Robabeh (Ruby) Vahedimanesh**

Student worker

**San Diego County Treasurer-Tax Collector's Office**

Phone: 619.531.5809 | Fax: 619.531.6056 | [www.sdttc.com](http://www.sdttc.com)

Below is the revised market price for October 2020.

<b>National City</b>		Pool YTM: 1.06			
<b>Conversion of Oracle Cash Balance to COSD Pool Market Price</b>					
<b>Month Ended October 31, 2020</b>					
		Current Month	Prior Month	Prior Quarter	Prior Year
		10/31/2020	9/30/2020	7/31/2020	10/31/2019
	COSD Pool Market Price	100.636%	101.065%	101.436%	100.529%
	COSD Pool Market Value	10,280,461,837	10,338,345,638	8,980,643,964	9,054,664,921
	National City percentage of MV share in COSD Pool	0.3544%	0.3531%	0.4071%	0.4475%
Fund Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077 NATIONAL CITY INVESTMENT FUND	36,204,268	36,434,565	36,508,945	36,561,858	40,519,626
<b>Total for National City</b>	<b>36,204,268</b>	<b>36,434,565</b>	<b>36,508,945</b>	<b>36,561,858</b>	<b>40,519,626</b>

Thank you,

<http://www.sdtreastax.com/> style='position:absolute;margin-left:0;margin-top:0;width:52.55pt;height:52.55pt;z-index:251659264;visibility:visible;mso-wrap-style:square;mso-width-percent:0;mso-height-percent:0;mso-wrap-distance-left:0;mso-wrap-distance-top:0;mso-wrap-distance-right:9pt;mso-wrap-distance-bottom:0;mso-position-horizontal:left;mso-position-horizontal-relative:text;mso-position-vertical:absolute;mso-position-vertical-relative:text;mso-width-percent:0;mso-height-percent:0;mso-width-relative:page;mso-height-relative:page' o:button="t"> **Robabeh (Ruby) Vahedimanesh**

Student worker

**San Diego County Treasurer-Tax Collector's Office**

Phone: 619.531.5809 | Fax: 619.531.6056 | [www.sdttc.com](http://www.sdttc.com)

# California State Treasurer *Fiona Ma, CPA*



Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

February 09, 2021

[LAIF Home](#)  
[PMIA Average Monthly Yields](#)

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
1243 NATIONAL CITY BLVD  
NATIONAL CITY, CA 91950-4397

[Tran Type Definitions](#)

//

**Account Number:** 98-37-576

December 2020 Statement

### Account Summary

Total Deposit:	0.00	Beginning Balance:	4,960,035.09
Total Withdrawal:	0.00	Ending Balance:	4,960,035.09

California State Treasurer  
**Fiona Ma, CPA**



December 07, 2020

Local Agency Investment Fund  
 P.O. Box 942809  
 Sacramento, CA 94209-0001  
 (916) 653-3001

[LAIF Home](#)  
[PMIA Average](#)  
[Monthly Yields](#)

CITY OF NATIONAL CITY  
  
 FINANCE DIRECTOR  
 1243 NATIONAL CITY BLVD  
 NATIONAL CITY, CA 91950-4397

[Tran Type](#)  
[Definitions](#)

**Account Number:** 98-37-576

November 2020 Statement

**Account Summary**

Total Deposit:	0.00	Beginning Balance:	4,960,035.09
Total Withdrawal:	0.00	Ending Balance:	4,960,035.09

California State Treasurer  
**Fiona Ma, CPA**



December 07, 2020

Local Agency Investment Fund  
 P.O. Box 942809  
 Sacramento, CA 94209-0001  
 (916) 653-3001

[LAIF Home](#)  
[PMIA Average](#)  
[Monthly Yields](#)

CITY OF NATIONAL CITY  
  
 FINANCE DIRECTOR  
 1243 NATIONAL CITY BLVD  
 NATIONAL CITY, CA 91950-4397

[Tran Type](#)  
[Definitions](#)

**Account Number:** 98-37-576

October 2020 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
10/15/2020	10/14/2020	QRD	1657999	N/A	SYSTEM	24,949.26
10/15/2020	10/15/2020	RW	1658242	N/A	MARK ROBERTS	-1,400,000.00

**Account Summary**

Total Deposit:	24,949.26	Beginning Balance:	6,335,085.83
Total Withdrawal:	-1,400,000.00	Ending Balance:	4,960,035.09



California State Treasurer  
**Fiona Ma, CPA**



[Home](#) | [Open Government](#) | [Careers](#) | [Contact](#) | [Calendar](#)

Search



[Home](#)   [PMIA Home](#)   [Contacts](#)   [Time Deposits](#)   [LAIF](#)

[Home](#) --> [PMIA](#) --> PMIA Average Monthly Effective Yields



**POOLED MONEY INVESTMENT ACCOUNT**

## PMIA Average Monthly Effective Yields

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1977	5.770	5.660	5.660	5.650	5.760	5.850	5.930	6.050	6.090	6.090	6.610	6.730
1978	6.920	7.050	7.140	7.270	7.386	7.569	7.652	7.821	7.871	8.110	8.286	8.769
1979	8.777	8.904	8.820	9.082	9.046	9.224	9.202	9.528	9.259	9.814	10.223	10.218
1980	10.980	11.251	11.490	11.480	12.017	11.798	10.206	9.870	9.945	10.056	10.426	10.961
1981	10.987	11.686	11.130	11.475	12.179	11.442	12.346	12.844	12.059	12.397	11.887	11.484
1982	11.683	12.044	11.835	11.773	12.270	11.994	12.235	11.909	11.151	11.111	10.704	10.401
1983	10.251	9.887	9.688	9.868	9.527	9.600	9.879	10.076	10.202	10.182	10.164	10.227
1984	10.312	10.280	10.382	10.594	10.843	11.119	11.355	11.557	11.597	11.681	11.474	11.024
1985	10.579	10.289	10.118	10.025	10.180	9.743	9.656	9.417	9.572	9.482	9.488	9.371
1986	9.252	9.090	8.958	8.621	8.369	8.225	8.141	7.844	7.512	7.586	7.432	7.439
1987	7.365	7.157	7.205	7.044	7.294	7.289	7.464	7.562	7.712	7.825	8.121	8.071
1988	8.078	8.050	7.945	7.940	7.815	7.929	8.089	8.245	8.341	8.397	8.467	8.563
1989	8.698	8.770	8.870	8.992	9.227	9.204	9.056	8.833	8.801	8.771	8.685	8.645
1990	8.571	8.538	8.506	8.497	8.531	8.538	8.517	8.382	8.333	8.321	8.269	8.279
1991	8.164	8.002	7.775	7.666	7.374	7.169	7.098	7.072	6.859	6.719	6.591	6.318
1992	6.122	5.863	5.680	5.692	5.379	5.323	5.235	4.958	4.760	4.730	4.659	4.647
1993	4.678	4.649	4.624	4.605	4.427	4.554	4.438	4.472	4.430	4.380	4.365	4.384
1994	4.359	4.176	4.248	4.333	4.434	4.623	4.823	4.989	5.106	5.243	5.380	5.528
1995	5.612	5.779	5.934	5.960	6.008	5.997	5.972	5.910	5.832	5.784	5.805	5.748
1996	5.698	5.643	5.557	5.538	5.502	5.548	5.587	5.566	5.601	5.601	5.599	5.574
1997	5.583	5.575	5.580	5.612	5.634	5.667	5.679	5.690	5.707	5.705	5.715	5.744
1998	5.742	5.720	5.680	5.672	5.673	5.671	5.652	5.652	5.639	5.557	5.492	5.374
1999	5.265	5.210	5.136	5.119	5.086	5.095	5.178	5.225	5.274	5.391	5.484	5.639
2000	5.760	5.824	5.851	6.014	6.190	6.349	6.443	6.505	6.502	6.517	6.538	6.535
2001	6.372	6.169	5.976	5.760	5.328	4.958	4.635	4.502	4.288	3.785	3.526	3.261
2002	3.068	2.967	2.861	2.845	2.740	2.687	2.714	2.594	2.604	2.487	2.301	2.201
2003	2.103	1.945	1.904	1.858	1.769	1.697	1.653	1.632	1.635	1.596	1.572	1.545
2004	1.528	1.440	1.474	1.445	1.426	1.469	1.604	1.672	1.771	1.890	2.003	2.134
2005	2.264	2.368	2.542	2.724	2.856	2.967	3.083	3.179	3.324	3.458	3.636	3.808
2006	3.955	4.043	4.142	4.305	4.563	4.700	4.849	4.946	5.023	5.098	5.125	5.129
2007	5.156	5.181	5.214	5.222	5.248	5.250	5.255	5.253	5.231	5.137	4.962	4.801
2008	4.620	4.161	3.777	3.400	3.072	2.894	2.787	2.779	2.774	2.709	2.568	2.353
2009	2.046	1.869	1.822	1.607	1.530	1.377	1.035	0.925	0.750	0.646	0.611	0.569
2010	0.558	0.577	0.547	0.588	0.560	0.528	0.531	0.513	0.500	0.480	0.454	0.462
2011	0.538	0.512	0.500	0.588	0.413	0.448	0.381	0.408	0.378	0.385	0.401	0.382
2012	0.385	0.389	0.383	0.367	0.363	0.358	0.363	0.377	0.348	0.340	0.324	0.326
2013	0.300	0.286	0.285	0.264	0.245	0.244	0.267	0.271	0.257	0.266	0.263	0.264
2014	0.244	0.236	0.236	0.233	0.228	0.228	0.244	0.260	0.246	0.261	0.261	0.267
2015	0.262	0.266	0.278	0.283	0.290	0.299	0.320	0.330	0.337	0.357	0.374	0.400
2016	0.446	0.467	0.506	0.525	0.552	0.576	0.588	0.614	0.634	0.654	0.678	0.719
2017	0.751	0.777	0.821	0.884	0.925	0.978	1.051	1.084	1.111	1.143	1.172	1.239
2018	1.350	1.412	1.524	1.661	1.755	1.854	1.944	1.998	2.063	2.144	2.208	2.291
2019	2.355	2.392	2.436	2.445	2.449	2.428	2.379	2.341	2.280	2.190	2.103	2.043
2020	1.967	1.912	1.787	1.648	1.363	1.217	0.920	0.784	0.685	0.620	0.576	0.540

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2021	0.458											



## State of California Pooled Money Investment Account Market Valuation 12/31/2020

Description	Carrying Cost Plus Accrued Interest Purch.	Amortized Cost	Fair Value	Accrued Interest
United States Treasury:				
Bills	\$ 35,405,712,930.37	\$ 35,432,444,038.95	\$ 35,437,534,000.00	NA
Notes	\$ 22,978,289,919.79	\$ 22,975,600,175.26	\$ 23,203,472,000.00	\$ 87,687,683.50
Federal Agency:				
SBA	\$ 457,313,707.11	\$ 457,313,707.11	\$ 453,196,763.66	\$ 194,387.40
MBS-REMICs	\$ 13,009,086.19	\$ 13,009,086.19	\$ 13,667,627.97	\$ 60,269.69
Debentures	\$ 2,847,411,888.51	\$ 2,847,280,694.06	\$ 2,860,796,440.00	\$ 5,309,372.25
Debentures FR	\$ 50,004,819.33	\$ 49,999,902.66	\$ 49,999,902.66	\$ 7,000.00
Debentures CL	\$ 500,000,000.00	\$ 500,000,000.00	\$ 499,778,000.00	\$ 675,389.00
Discount Notes	\$ 15,173,292,694.21	\$ 15,178,921,383.10	\$ 15,179,217,080.00	NA
Supranational Debentures	\$ 418,341,915.19	\$ 417,532,042.97	\$ 418,199,950.00	\$ 2,285,076.75
Supranational Debentures FR	\$ 150,065,910.68	\$ 150,065,910.68	\$ 150,116,479.89	\$ 71,271.38
CDs and YCDs FR	\$ 300,000,000.00	\$ 300,000,000.00	\$ 300,031,000.00	\$ 55,330.75
Bank Notes	\$ -	\$ -	\$ -	\$ -
CDs and YCDs	\$ 15,150,000,000.00	\$ 15,150,000,000.00	\$ 15,149,513,647.63	\$ 14,168,375.02
Commercial Paper	\$ 8,843,502,722.19	\$ 8,847,289,347.29	\$ 8,847,888,754.14	NA
Corporate:				
Bonds FR	\$ -	\$ -	\$ -	\$ -
Bonds	\$ -	\$ -	\$ -	\$ -
Repurchase Agreements	\$ -	\$ -	\$ -	\$ -
Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
Time Deposits	\$ 4,396,500,000.00	\$ 4,396,500,000.00	\$ 4,396,500,000.00	NA
PMIA & GF Loans	\$ 691,023,000.00	\$ 691,023,000.00	\$ 691,023,000.00	NA
<b>TOTAL</b>	<b>\$ 107,374,468,593.57</b>	<b>\$ 107,406,979,288.27</b>	<b>\$ 107,650,934,645.95</b>	<b>\$ 110,514,155.74</b>

Fair Value Including Accrued Interest

\$ 107,761,448,801.69

Repurchase Agreements, Reverse Repurchases, Time Deposits, and PMIA & General Fund loans are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (1.002271318). As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at \$20,045,426.35 or \$20,000,000.00 x 1.002271318.



**BETTY T. YEE**  
**California State Controller**

**LOCAL AGENCY INVESTMENT FUND  
 REMITTANCE ADVICE**

Agency Name	NATIONAL CITY
Account Number	98-37-576

As of 01/15/2021, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 12/31/2020.

Earnings Ratio		.00001719170547343
Interest Rate		0.63%
Dollar Day Total	\$	475,573,938.64
Quarter End Principal Balance	\$	4,960,035.09
Quarterly Interest Earned	\$	8,175.93

The following page(s) contain the backup material for Agenda Item: [Investment transactions for the month ended January 31, 2021. \(Finance\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Investment transactions for the month ended January 31, 2021.

**PREPARED BY:** *Ron Gutlay*

**PHONE:** 619-336-4346

**DEPARTMENT:** Finance



**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

In accordance with California Government Code Section 53646 and Section XIA of the City of National City's investment policy, a monthly report shall be submitted to the legislative body accounting for transactions made during the reporting period.

The attached listing reflects investment transactions of the City of National City's investment portfolio for the month ending January 31, 2021.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

**APPROVED:** \_\_\_\_\_ *Alan W. S.* **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Accept and file the Investment Transaction Ledger for the month ended January 31, 2021.

**BOARD / COMMISSION RECOMMENDATION:**

NA

**ATTACHMENTS:**

Investment Transaction Ledger



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>ACQUISITIONS</b>										
Purchase	01/05/2021	60934N807	3.75	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	3.75	0.00	3.75	0.00
Purchase	01/07/2021	60934N807	5,078.13	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	5,078.13	0.00	5,078.13	0.00
Purchase	01/08/2021	60934N807	6,700.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	6,700.00	0.00	6,700.00	0.00
Purchase	01/10/2021	60934N807	7,600.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	7,600.00	0.00	7,600.00	0.00
Purchase	01/11/2021	60934N807	6,600.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	6,600.00	0.00	6,600.00	0.00
Purchase	01/13/2021	60934N807	6,828.13	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	6,828.13	0.00	6,828.13	0.00
Purchase	01/15/2021	60934N807	148.33	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	148.33	0.00	148.33	0.00
Purchase	01/15/2021	60934N807	211.79	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	211.79	0.00	211.79	0.00
Purchase	01/15/2021	60934N807	31.88	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	31.88	0.00	31.88	0.00
Purchase	01/15/2021	60934N807	155.83	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	155.83	0.00	155.83	0.00
Purchase	01/15/2021	60934N807	579.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	579.00	0.00	579.00	0.00
Purchase	01/15/2021	60934N807	332.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	332.00	0.00	332.00	0.00
Purchase	01/15/2021	60934N807	29.17	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	29.17	0.00	29.17	0.00
Purchase	01/15/2021	60934N807	56.83	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	56.83	0.00	56.83	0.00
Purchase	01/15/2021	60934N807	17,247.09	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	17,247.09	0.00	17,247.09	0.00
Purchase	01/15/2021	90LAIF\$00	8,175.93	Local Agency Investment Fund State Pool	1.000	0.52%	8,175.93	0.00	8,175.93	0.00

Transaction Ledger

As of January 31, 2021



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>ACQUISITIONS</b>										
Purchase	01/19/2021	60934N807	77.08	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	77.08	0.00	77.08	0.00
Purchase	01/19/2021	60934N807	10,130.77	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	10,130.77	0.00	10,130.77	0.00
Purchase	01/21/2021	60934N807	13,382.62	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	13,382.62	0.00	13,382.62	0.00
Purchase	01/21/2021	60934N807	93.92	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	93.92	0.00	93.92	0.00
Purchase	01/25/2021	60934N807	500,000.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	500,000.00	0.00	500,000.00	0.00
Purchase	01/25/2021	60934N807	5,625.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	5,625.00	0.00	5,625.00	0.00
Purchase	01/28/2021	459058GQ0	450,000.00	Intl. Bank Recon & Development Note 2.5% Due 3/19/2024	106.994	0.26%	481,473.00	4,031.25	485,504.25	0.00
Purchase	01/28/2021	60934N807	4,900.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	4,900.00	0.00	4,900.00	0.00
Purchase	01/29/2021	91282CBE0	550,000.00	US Treasury Note 0.125% Due 1/15/2024	99.816	0.19%	548,990.23	26.59	549,016.82	0.00
Purchase	01/31/2021	60934N807	7,593.75	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	7,593.75	0.00	7,593.75	0.00
<b>Subtotal</b>			<b>1,601,581.00</b>				<b>1,632,044.23</b>	<b>4,057.84</b>	<b>1,636,102.07</b>	<b>0.00</b>
Security Contribution	01/29/2021	60934N807	129,432.23	Federated Investors Govt Oblig Fund Inst.	1.000		129,432.23	0.00	129,432.23	0.00
<b>Subtotal</b>			<b>129,432.23</b>				<b>129,432.23</b>	<b>0.00</b>	<b>129,432.23</b>	<b>0.00</b>
<b>TOTAL ACQUISITIONS</b>			<b>1,731,013.23</b>				<b>1,761,476.46</b>	<b>4,057.84</b>	<b>1,765,534.30</b>	<b>0.00</b>
<b>DISPOSITIONS</b>										
Sale	01/28/2021	60934N807	485,504.25	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	485,504.25	0.00	485,504.25	0.00



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>DISPOSITIONS</b>										
Sale	01/29/2021	60934N807	549,016.82	Federated Investors Govt Oblig Fund Inst.	1.000	0.01%	549,016.82	0.00	549,016.82	0.00
<b>Subtotal</b>			<b>1,034,521.07</b>				<b>1,034,521.07</b>	<b>0.00</b>	<b>1,034,521.07</b>	<b>0.00</b>
Paydown	01/15/2021	43815NAC8	0.00	Honda Auto Receivables Trust 2019-3 A3 1.78% Due 8/15/2023	100.000		0.00	148.33	148.33	0.00
Paydown	01/15/2021	477870AC3	0.00	John Deere Owner Trust 2019-B A3 2.21% Due 12/15/2023	100.000		0.00	211.79	211.79	0.00
Paydown	01/15/2021	47787NAC3	0.00	John Deere Owner Trust 2020-B A3 0.51% Due 11/15/2024	100.000		0.00	31.88	31.88	0.00
Paydown	01/15/2021	47789KAC7	0.00	John Deere Owner Trust 2020-A A3 1.1% Due 8/15/2024	100.000		0.00	155.83	155.83	0.00
Paydown	01/15/2021	65479JAD5	0.00	Nissan Auto Receivables Owner 2019-C A3 1.93% Due 7/15/2024	100.000		0.00	579.00	579.00	0.00
Paydown	01/15/2021	89232HAC9	0.00	Toyota Auto Receivable Own 2020-A A3 1.66% Due 5/15/2024	100.000		0.00	332.00	332.00	0.00
Paydown	01/15/2021	89236XAC0	0.00	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	100.000		0.00	29.17	29.17	0.00
Paydown	01/15/2021	89237VAB5	0.00	Toyota Auto Receivables Trust 2020-C A3 0.44% Due 10/15/2024	100.000		0.00	56.83	56.83	0.00
Paydown	01/15/2021	89238KAD4	17,174.54	Toyota Auto Receivables Trust 2017-D A3 1.93% Due 1/18/2022	100.000		17,174.54	72.55	17,247.09	47.63
Paydown	01/19/2021	43813KAC6	0.00	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	100.000		0.00	77.08	77.08	0.00
Paydown	01/19/2021	43814UAG4	9,968.79	Honda Auto Receivables Trust 2018-2 A3 3.01% Due 5/18/2022	100.000		9,968.79	161.98	10,130.77	0.22



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>DISPOSITIONS</b>										
Paydown	01/21/2021	43813RAC1	0.00	Honda Auto Receivables 2020-1 A3 1.61% Due 4/22/2024	100.000		0.00	93.92	93.92	0.00
Paydown	01/21/2021	43815HAC1	13,099.71	Honda Auto Receivables Trust 2018-3 A3 2.95% Due 8/22/2022	100.000		13,099.71	282.91	13,382.62	1.80
<b>Subtotal</b>			<b>40,243.04</b>				<b>40,243.04</b>	<b>2,233.27</b>	<b>42,476.31</b>	<b>49.65</b>
Maturity	01/25/2021	45950KCM0	500,000.00	International Finance Corp Note 2.25% Due 1/25/2021	100.000		500,000.00	0.00	500,000.00	1,420.00
<b>Subtotal</b>			<b>500,000.00</b>				<b>500,000.00</b>	<b>0.00</b>	<b>500,000.00</b>	<b>1,420.00</b>
Security Withdrawal	01/06/2021	60934N807	2,325.25	Federated Investors Govt Oblig Fund Inst.	1.000		2,325.25	0.00	2,325.25	0.00
Security Withdrawal	01/29/2021	60934N807	129,432.23	Federated Investors Govt Oblig Fund Inst.	1.000		129,432.23	0.00	129,432.23	0.00
Security Withdrawal	01/31/2021	90SDCP\$00	72,000.00	County of San Diego Pooled Investment Pool	1.000		72,000.00	0.00	72,000.00	0.00
<b>Subtotal</b>			<b>203,757.48</b>				<b>203,757.48</b>	<b>0.00</b>	<b>203,757.48</b>	<b>0.00</b>
<b>TOTAL DISPOSITIONS</b>			<b>1,778,521.59</b>				<b>1,778,521.59</b>	<b>2,233.27</b>	<b>1,780,754.86</b>	<b>1,469.65</b>

<b>OTHER TRANSACTIONS</b>										
Interest	01/07/2021	3135G0X24	625,000.00	FNMA Note 1.625% Due 1/7/2025	0.000		5,078.13	0.00	5,078.13	0.00
Interest	01/08/2021	89236TFS9	400,000.00	Toyota Motor Credit Corp Note 3.35% Due 1/8/2024	0.000		6,700.00	0.00	6,700.00	0.00
Interest	01/10/2021	24422EUR8	400,000.00	John Deere Capital Corp Note 3.45% Due 1/10/2024	0.000		6,900.00	0.00	6,900.00	0.00
Interest	01/10/2021	3135G05G4	560,000.00	FNMA Note 0.25% Due 7/10/2023	0.000		700.00	0.00	700.00	0.00
Interest	01/11/2021	06051GEU9	400,000.00	Bank of America Corp Note 3.3% Due 1/11/2023	0.000		6,600.00	0.00	6,600.00	0.00
Interest	01/13/2021	3137EADB2	575,000.00	FHLMC Note 2.375% Due 1/13/2022	0.000		6,828.13	0.00	6,828.13	0.00

## Transaction Ledger

As of January 31, 2021



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>OTHER TRANSACTIONS</b>										
Interest	01/25/2021	45950KCM0	500,000.00	International Finance Corp Note 2.25% Due 1/25/2021	0.000		5,625.00	0.00	5,625.00	0.00
Interest	01/28/2021	69353RFE3	400,000.00	PNC Bank Callable Note Cont 6/28/2022  2.45% Due 7/28/2022	0.000		4,900.00	0.00	4,900.00	0.00
Interest	01/31/2021	912828S76	600,000.00	US Treasury Note 1.125% Due 7/31/2021	0.000		3,375.00	0.00	3,375.00	0.00
Interest	01/31/2021	912828V72	450,000.00	US Treasury Note 1.875% Due 1/31/2022	0.000		4,218.75	0.00	4,218.75	0.00
<b>Subtotal</b>			<b>4,910,000.00</b>				<b>50,925.01</b>	<b>0.00</b>	<b>50,925.01</b>	<b>0.00</b>
Dividend	01/05/2021	60934N807	477,230.90	Federated Investors Govt Oblig Fund Inst.	0.000		3.75	0.00	3.75	0.00
Dividend	01/15/2021	90LAIF\$00	475,573,938.64	Local Agency Investment Fund State Pool	0.000		8,175.93	0.00	8,175.93	0.00
<b>Subtotal</b>			<b>476,051,169.54</b>				<b>8,179.68</b>	<b>0.00</b>	<b>8,179.68</b>	<b>0.00</b>
<b>TOTAL OTHER TRANSACTIONS</b>			<b>480,961,169.54</b>				<b>59,104.69</b>	<b>0.00</b>	<b>59,104.69</b>	<b>0.00</b>

The following page(s) contain the backup material for Agenda Item: [Warrant Register #34 for the period of 2/17/21 through 2/23/21 in the amount of \\$1,356,270.65. \(Finance\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #34 for the period of 2/17/21 through 2/23/21 in the amount of \$1,356,270.65.  
(Finance)

**PREPARED BY:** Karla Apalategui, Senior Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** \_\_\_\_\_



**EXPLANATION:**

Per Government Section Code 37208, below are the payments issued for period 2/17/21 - 2/23/21. Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Motorola Solutions Inc	351415	77,351.55	Portable Radios / Fire

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_



**FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

**MIS**

Warrant total \$1,356,270.65.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$1,356,270.65.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 34



**WARRANT REGISTER # 34  
2/23/2021**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACE UNIFORMS & ACCESSORIES INC	RESERVE UNIFORM VASQUEZ	351359	2/23/21	1,241.02
ACME SAFETY & SUPPLY CORP	VINYL REFL ROLL UP SIGN	351360	2/23/21	419.78
ADMINSURE INC	AGREEMENT TO PROVIDE MONTHLY SERVICES	351361	2/23/21	7,872.50
AEP CALIFORNIA LLC	UPFIT TOY CAM	351362	2/23/21	6,103.06
ALDEMCO	FOOD NUTRITION	351363	2/23/21	2,504.79
ALL FRESH PRODUCTS	COVID 19 CONSUMABLES	351364	2/23/21	731.74
AMAZON	CHRISTMAS LIGHTS	351365	2/23/21	1,018.59
ATLAS TECHNICAL CONSULTANTS	P1 SEWER UPSIZE PROJECT	351366	2/23/21	6,996.00
B & H PHOTO & ELECTRONICS CORP	CHARGER FOR NIKON	351367	2/23/21	59.09
BIOLABS INTERNATIONAL LLC	COVID TESTING	351368	2/23/21	1,000.00
BRINK'S INCORPORATED	ARMORED CAR SVCS 2/1/21-2/28/21 / FINANCE	351369	2/23/21	343.65
BROADWAY AUTO GLASS	OFF-SITE WINDOW TINT, REPAIR	351370	2/23/21	652.55
CALIFORNIA ASSOCIATION OF CODE	CACEO WEBINAR / NSD	351371	2/23/21	64.00
CALIFORNIA DIESEL COMPLIANCE	PSIP-STATEWIDE- SMOKE OPACITY TEST	351372	2/23/21	354.00
CEPA OPERATIONS INC	FUME HOOD	351373	2/23/21	195.00
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES	351374	2/23/21	6,950.00
CLEAR WATER TECHNOLOGIES LLC	CITY WIDE ON-SITE ENERGY EFFICIENT	351375	2/23/21	950.00
COMMERCIAL AQUATIC SERVICE INC	CHEMICALS – CHLORINE, ACID TABLETS	351376	2/23/21	519.77
CONCENTRA MEDICAL CENTERS	PRE-EMPLOYMENT PHYSICAL	351377	2/23/21	326.00
CONSOLIDATED CONCEPTS	POSTCARD MAILER FOR THE COUNTY	351378	2/23/21	6,303.16
COPWARE INC	COPWARE LICENSE FEE	351379	2/23/21	2,220.00
CPOA	CPOA DUES HERNANDEZ	351380	2/23/21	500.00
DALEY & HEFT LLP	LIABILITY CLAIM COST	351381	2/23/21	9,419.97
DALEY & HEFT LLP	LIABILITY CLAIM COST	351382	2/23/21	1,800.18
DALEY & HEFT LLP	LIABILITY CLAIM COST	351383	2/23/21	1,697.39
DALEY & HEFT LLP	LIABILITY CLAIM COST	351384	2/23/21	1,314.00
DALEY & HEFT LLP	LIABILITY CLAIM COST	351385	2/23/21	714.39
DALEY & HEFT LLP	LIABILITY CLAIM COST	351386	2/23/21	240.00
DALEY & HEFT LLP	LIABILITY CLAIM COST	351387	2/23/21	140.00
DALEY & HEFT LLP	LIABILITY CLAIM COST	351388	2/23/21	80.00
DALEY & HEFT LLP	LIABILITY CLAIM COST	351389	2/23/21	38.00
DAY WIRELESS SYSTEMS	QUARTERLY MAINTENANCE	351390	2/23/21	4,596.00
DELGADO, E	DOMINOS PIZZA / CSD	351391	2/23/21	86.63
DEPT OF JUSTICE	DOJ FINGER PRINTING	351392	2/23/21	482.00
DIAZ, E	EDUCATION REIMBURSEMENT	351393	2/23/21	767.60
DISCOUNT SPECIALTY CHEMICALS	SORTED TIME MIST SCENT	351394	2/23/21	426.30
EDD	EMPLOYMENT DEV DEPT	351395	2/23/21	376.00
EXPRESS PIPE AND SUPPLY	CITYWIDE PLUMBING PARTS, MATERIALS TOOL	351396	2/23/21	640.05
FBI NATIONAL ACADEMY	FBINNA DUES YOUNG	351397	2/23/21	125.00
FLEET SERVICES INC	MOP 67804 AUTO SUPPLIES - PW	351398	2/23/21	777.21
GOVCONNECTION INC	MONITOR	351399	2/23/21	1,879.95
HARRIS, S	EDUCATION REIMBURSEMENT	351400	2/23/21	435.11
I LOVE A CLEAN SAN DIEGO	COMMUNITY SERVICES MONTH CLEAN UP GRABBER	351401	2/23/21	2,000.00
INLAND KENWORTH INC	SENSOR DEF CONCENTRATION	351402	2/23/21	343.40
INNOVATIVE CONSTRUCTION	CIP 18-10 EUCLID BICYCLE & PED ENHANCE	351403	2/23/21	22,036.50
JAMES DEUBIG CONSTRUCTION INC	REFUND OF CONSTRUCTION & DEMO DEPOSIT	351404	2/23/21	274.75
JJJ ENTERPRISES	FIRE AND SECURITY ALARM MONITORING	351405	2/23/21	1,625.00



**WARRANT REGISTER # 34  
2/23/2021**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
KD 18TH LLC	REFUND OF CONSTRUCTION & DEMO DEPOSIT	351406	2/23/21	1,598.80
KRONOS INC	3 HOURS OF TRAINING ON 11/24/20	351407	2/23/21	990.00
LANGUAGE LINE SERVICES	LANGUAGE LINE	351408	2/23/21	349.01
LASER SAVER INC	REPAIR OF PLOTTER	351409	2/23/21	1,585.02
LEO K9 NUTRITION	SUPPLIES FOR LOKI	351410	2/23/21	702.25
LEON, JESSE	REFUND OF CONSTRUCTION & DEMO DEPOSIT	351411	2/23/21	644.80
MAN K9 INC	JAN SERVICE FEE	351412	2/23/21	1,120.00
MASON'S SAW	MOP 45729 EQUIPMENT SUPPLIES AND REPAIR	351413	2/23/21	196.93
MOSSY NISSAN	ALUMINUM WHEEL	351414	2/23/21	692.52
MOTOROLA SOLUTIONS INC	PORTABLE RADIOS / FIRE	351415	2/23/21	77,351.55
OFFICE SOLUTIONS BUSINESS	MOP 83778/FINANCE OFFICE SUPPLIES	351416	2/23/21	238.34
OFFICER SURVIVAL SOLUTIONS	IFAK KITS	351417	2/23/21	1,011.95
PACIFIC PRODUCTS & SERVICES	HEAVY DUTY ANCHORS - STREET SIGNAGE	351418	2/23/21	1,489.66
PALOMAR HEALTH	SART EXAM	351419	2/23/21	4,850.00
PARADISE VALLEY HOSPITAL	COVID19 TESTING	351420	2/23/21	1,438.50
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	351421	2/23/21	266.11
PEACE OFFICERS RESEARCH	RESERVE OFFICER MEMBERSHIP	351422	2/23/21	96.00
PENSKE FORD	R&M CITY VEHICLES FY 2021	351423	2/23/21	758.92
PERRY FORD	MOP 45703 AUTO SUPPLIES - PW	351424	2/23/21	155.00
POLICE AND FIRE PSYCHOLOGY	PSYCH EXAMS	351425	2/23/21	700.00
POWERSTRIDE BATTERY CO INC	BATTERY - PC2150 ODYSSEY	351426	2/23/21	2,713.58
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES - PW	351427	2/23/21	1,487.51
PROFESSIONAL SEARCH GROUP LLC	TEMPORARY PLACEMENT POSITION, SOA / FIRE	351428	2/23/21	1,632.00
PROJECT PROFESSIONALS CORP	CIP 19-43 P-1 SEWER UPSIZING - ENG/PW	351429	2/23/21	25,356.28
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	351430	2/23/21	1,350.30
RED TRUCK FIRE & SAFETY CO	CITYWIDE, ON-SITE FIRE EXTINGUISHER	351431	2/23/21	6,898.91
RMG COMMUNICATIONS	COMMUNITY OUTREACH AND EDUCATION VIDEO	351432	2/23/21	5,000.00
S D COUNTY SHERIFF'S DEPT	CAL ID JULY - DEC 2020	351433	2/23/21	8,675.00
SAKAMOTO, C	TRAINING POST SUPERVISORY	351434	2/23/21	640.00
SAN DIEGO HYDRAULICS	MOP 85005 AUTO SUPPLIES - PW	351435	2/23/21	314.16
SAN DIEGO POLICE EQUIPMENT	MARIOTA/ANDERSON/WALTERS	351436	2/23/21	1,888.99
SCANLON, D	TRAINING SUPERVISORY	351437	2/23/21	640.00
SITEONE LANDSCAPE SUPPLY LLC	MOP 69277 LANDSCAPE SUPPLIES - PW	351438	2/23/21	466.08
SMART & FINAL	COMMUNITY SERV PROP 68 DESING WORKSHOP	351439	2/23/21	141.99
SOUTH COAST EMERGENCY	PRIMER VALVE	351440	2/23/21	396.47
SPEEDPRO IMAGING	AUTO SUPPLIES / PW	351441	2/23/21	1,028.93
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES - PW	351442	2/23/21	325.30
STINNETT, R	TRAINING SUPERVISY POST	351443	2/23/21	640.00
SWEETWATER AUTHORITY	WATER BILL FOR FACILITIES FY 2021	351444	2/23/21	14,346.40
SYMBOLARTS, LLC	BADGE REFERBISH	351445	2/23/21	1,031.94
SYSCO SAN DIEGO INC	FOOD NUTRITION	351446	2/23/21	2,005.00
T MAN TRAFFIC SUPPLY	MOP 76666 TRAFFIC SUPPLIES - PW	351447	2/23/21	420.21
TECHNOLOGY INTEGRATION GROUP	MIS EQUIP	351448	2/23/21	857.65
THE COUNSELING TEAM	SERVICE FEE PEER SUPPORT	351449	2/23/21	800.00
THE COUNSELING TEAM INTERNATIO	EMPLOYEE SUPPORT SERVICES FOR 3 PEOPLE	351450	2/23/21	600.00
THOMSON REUTERS	SUBSCRIPTION, CCR T 19 PUBLIC SAFETY /FI	351451	2/23/21	169.32
TINOSA INC	PERFORM AIR SAMPLE	351452	2/23/21	250.00



**WARRANT REGISTER # 34  
2/23/2021**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
U S BANK	MONTHLY CREDIT CARD STATEMENT - JANUARY	351453	2/23/21	310.06
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS AND MAINTENANCE	351454	2/23/21	296.75
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 BUILDING SUPPLIES - PW	351455	2/23/21	96.22
VCA MAIN ST ANIMAL HOSPITAL	CANINE DUKE CARE	351456	2/23/21	2,507.58
VICTOR STANLEY INC	SD-42, IRONSITES SERIES 36-GALLON SIDE	351457	2/23/21	15,381.23
VIDEO TRACK LLC	LIABILITY CLAIM COST	351458	2/23/21	140.00
VISTA PAINT	MOP 68834 PAINT SUPPLIES / NSD	351459	2/23/21	231.41
VORTEX INDUSTRIES INC	CITYWIDE ON-SITE SERVICE, REPAIRS	351460	2/23/21	1,748.80
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES	351461	2/23/21	1,834.46
WEST PAYMENT CENTER	WEST SERVICES	351462	2/23/21	1,241.60
WESTFLEX INDUSTRIAL	MOP 63850 GENERAL SUPPLIES - PW	351463	2/23/21	5.92
WILLY'S ELECTRONIC SUPPLY	MOP 45763 ELECTRIC SUPPLIES - PW	351464	2/23/21	68.87
WITMER PUBLIC SAFETY GROUP INC	LEATHERFRONT-CUST	351465	2/23/21	146.53
			<b>A/P Total</b>	<b>299,960.94</b>

<b>PAYROLL</b>				
<b>Pay period</b>	<b>Start Date</b>	<b>End Date</b>	<b>Check Date</b>	
4	1/26/2021	2/8/2021	2/17/2021	<b>1,056,309.71</b>
<b>GRAND TOTAL</b>				<b><u>\$ 1,356,270.65</u></b>

**Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



\_\_\_\_\_  
PHILLIP DAVIS, FINANCE

\_\_\_\_\_  
BRAD RAULSTON, CITY MANAGER

**FINANCE COMMITTEE**

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

\_\_\_\_\_  
JOSE RODRIGUEZ, VICE-MAYOR

\_\_\_\_\_  
MARCUS BUSH, COUNCIL MEMBER

\_\_\_\_\_  
RONALD J. MORRISON, COUNCIL MEMBER

\_\_\_\_\_  
MONA RIOS, COUNCIL MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 6<sup>th</sup> OF APRIL, 2021.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [Warrant Register #35 for the period of 2/24/21 through 3/02/21 in the amount of \\$1,676,099.03. \(Finance\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #35 for the period of 2/24/21 through 3/02/21 in the amount of \$1,676,099.03.  
(Finance)

**PREPARED BY:** Karla Apalategui, Senior Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** \_\_\_\_\_



**EXPLANATION:**

Per Government Section Code 37208, below are the payments issued for period 2/24/21 - 3/02/21. Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Dick Miller	351570	118,286.81	CIP 18-11 Paradise Creek WQ & C Enh – ENG/PW
Portillo Concrete Inc	351598	99,737.63	CIP 18-10 Euclid Ave Bicycle/Ped Enhancement
Whillock Contracting	351621	149,579.49	CIP 18-07 Paradise Creek Park Site Remed

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_



**FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

**MIS**

Warrant total \$1,676,099.03.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$1,676,099.03.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 35



**WARRANT REGISTER # 35  
3/2/2021**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACEDO, I	RETIREE HEALTH BENEFITS - MAR 2021	351467	3/2/21	160.00
ANDERSON, E	RETIREE HEALTH BENEFITS - MAR 2021	351468	3/2/21	110.00
BEARD, P	RETIREE HEALTH BENEFITS - MAR 2021	351469	3/2/21	70.00
BECK, L	RETIREE HEALTH BENEFITS - MAR 2021	351470	3/2/21	140.00
BISHOP, R	RETIREE HEALTH BENEFITS - MAR 2021	351471	3/2/21	110.00
BOEGLER, C	RETIREE HEALTH BENEFITS - MAR 2021	351472	3/2/21	260.00
BULL, P	RETIREE HEALTH BENEFITS - MAR 2021	351473	3/2/21	580.00
CAMEON, C	RETIREE HEALTH BENEFITS - MAR 2021	351474	3/2/21	400.00
CARRILLO, R	RETIREE HEALTH BENEFITS - MAR 2021	351475	3/2/21	290.00
COLE, L	RETIREE HEALTH BENEFITS - MAR 2021	351476	3/2/21	165.00
COLLINSON, C	RETIREE HEALTH INS REFUND NOV & DEC 2020	351477	3/2/21	1,779.64
COLLINSON, C	RETIREE HEALTH BENEFITS - MAR 2021	351478	3/2/21	420.00
CONDON, D	RETIREE HEALTH BENEFITS - MAR 2021	351479	3/2/21	280.00
CORDERO, E	RETIREE HEALTH BENEFITS - MAR 2021	351480	3/2/21	520.00
DALLA, M	RETIREE HEALTH BENEFITS - MAR 2021	351481	3/2/21	900.00
DANESHFAR, Z	RETIREE HEALTH BENEFITS - MAR 2021	351482	3/2/21	250.00
DEESE, L	RETIREE HEALTH BENEFITS - MAR 2021	351483	3/2/21	660.00
DESROCHERS, P	RETIREE HEALTH BENEFITS - MAR 2021	351484	3/2/21	110.00
DIAZ, M	RETIREE HEALTH BENEFITS - MAR 2021	351485	3/2/21	680.00
DILLARD, S	RETIREE HEALTH BENEFITS - MAR 2021	351486	3/2/21	480.00
DREDGE, J	RETIREE HEALTH BENEFITS - MAR 2021	351487	3/2/21	250.00
EISER III, G	RETIREE HEALTH BENEFITS - MAR 2021	351488	3/2/21	250.00
ESPIRITU, D	RETIREE HEALTH BENEFITS - MAR 2021	351489	3/2/21	620.00
ETZLER, J	RETIREE HEALTH BENEFITS - MAR 2021	351490	3/2/21	460.00
FABINSKI, D	RETIREE HEALTH BENEFITS - MAR 2021	351491	3/2/21	220.00
FERNANDEZ, R	RETIREE HEALTH BENEFITS - MAR 2021	351492	3/2/21	270.00
FIFIELD, K	RETIREE HEALTH BENEFITS - MAR 2021	351493	3/2/21	540.00
GAUT, A	RETIREE HEALTH BENEFITS - MAR 2021	351494	3/2/21	700.00
GELSKEY, K	RETIREE HEALTH BENEFITS - MAR 2021	351495	3/2/21	115.00
GIBBS JR, R	RETIREE HEALTH BENEFITS - MAR 2021	351496	3/2/21	120.00
GONZALES, M	RETIREE HEALTH BENEFITS - MAR 2021	351497	3/2/21	480.00
HANSON, E	RETIREE HEALTH BENEFITS - MAR 2021	351498	3/2/21	135.00
HARLAN, M	RETIREE HEALTH BENEFITS - MAR 2021	351499	3/2/21	500.00
HAUG, S	RETIREE HEALTH BENEFITS - MAR 2021	351500	3/2/21	120.00
HERNANDEZ, G	RETIREE HEALTH BENEFITS - MAR 2021	351501	3/2/21	500.00
HERNANDEZ, M	RETIREE HEALTH BENEFITS - MAR 2021	351502	3/2/21	600.00
HERNANDEZ, R	RETIREE HEALTH BENEFITS - MAR 2021	351503	3/2/21	400.00
HODGES, B	RETIREE HEALTH BENEFITS - MAR 2021	351504	3/2/21	200.00
IBARRA, I	RETIREE HEALTH BENEFITS - MAR 2021	351505	3/2/21	780.00
JONES, A	RETIREE HEALTH BENEFITS - MAR 2021	351506	3/2/21	60.00
JONES, D	RETIREE HEALTH BENEFITS - MAR 2021	351507	3/2/21	480.00
JUNIEL, R	RETIREE HEALTH BENEFITS - MAR 2021	351508	3/2/21	50.00
KIMBLE, K	RETIREE HEALTH BENEFITS - MAR 2021	351509	3/2/21	300.00
KLOS, F	RETIREE HEALTH BENEFITS - MAR 2021	351510	3/2/21	480.00
LAFRENIERE, M	RETIREE HEALTH BENEFITS - MAR 2021	351511	3/2/21	660.00
LEACH, D	RETIREE HEALTH BENEFITS - MAR 2021	351512	3/2/21	600.00
LIMFUECO, M	RETIREE HEALTH BENEFITS - MAR 2021	351513	3/2/21	160.00



**WARRANT REGISTER # 35**  
**3/2/2021**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MATIENZO, M	RETIREE HEALTH BENEFITS - MAR 2021	351514	3/2/21	100.00
MCCABE, T	RETIREE HEALTH BENEFITS - MAR 2021	351515	3/2/21	280.00
MCDANIEL, M	RETIREE HEALTH BENEFITS - MAR 2021	351516	3/2/21	290.00
MEDINA, R	RETIREE HEALTH BENEFITS - MAR 2021	351517	3/2/21	105.00
MEEKS, J	RETIREE HEALTH BENEFITS - MAR 2021	351518	3/2/21	460.00
MENDOZA, G	RETIREE HEALTH BENEFITS - MAR 2021	351519	3/2/21	290.00
MINER, D	RETIREE HEALTH BENEFITS - MAR 2021	351520	3/2/21	580.00
MORRISON, R	RETIREE HEALTH BENEFITS - MAR 2021	351521	3/2/21	520.00
NAGLE, D	RETIREE HEALTH BENEFITS - MAR 2021	351522	3/2/21	460.00
NOTEWARE, D	RETIREE HEALTH BENEFITS - MAR 2021	351523	3/2/21	120.00
OLIVARES, G	RETIREE HEALTH BENEFITS - MAR 2021	351524	3/2/21	280.00
OLIVERIA, O	RETIREE HEALTH BENEFITS - MAR 2021	351525	3/2/21	360.00
PAUU JR, P	RETIREE HEALTH BENEFITS - MAR 2021	351526	3/2/21	340.00
PE, R	RETIREE HEALTH BENEFITS - MAR 2021	351527	3/2/21	300.00
PE, R	JAN 2021 RETIREE HEALTH BENEFITS	351528	3/2/21	300.00
PE, R	FEB 2021 RETIREE HEALTH BENEFITS	351529	3/2/21	300.00
PEASE JR, D	RETIREE HEALTH BENEFITS - MAR 2021	351530	3/2/21	140.00
PETERS, S	RETIREE HEALTH BENEFITS - MAR 2021	351531	3/2/21	290.00
POST, P	RETIREE HEALTH BENEFITS - MAR 2021	351532	3/2/21	280.00
RAY, S	RETIREE HEALTH BENEFITS - MAR 2021	351533	3/2/21	190.00
ROARK, L	RETIREE HEALTH BENEFITS - MAR 2021	351534	3/2/21	135.00
RODRIGUEZ, M	RETIREE HEALTH BENEFITS - MAR 2021	351535	3/2/21	260.00
RUIZ, J	RETIREE HEALTH BENEFITS - MAR 2021	351536	3/2/21	310.00
SANCHEZ, L	RETIREE HEALTH BENEFITS - MAR 2021	351537	3/2/21	330.00
SERVATIUS, J	RETIREE HEALTH BENEFITS - MAR 2021	351538	3/2/21	340.00
SHOEMAKER, M	RETIREE HEALTH BENEFITS - MAR 2021	351539	3/2/21	480.00
SHORT, C	RETIREE HEALTH BENEFITS - MAR 2021	351540	3/2/21	300.00
SILVA, L	RETIREE HEALTH BENEFITS - MAR 2021	351541	3/2/21	580.00
SMITH, J	RETIREE HEALTH BENEFITS - MAR 2021	351542	3/2/21	320.00
SMITH, M	RETIREE HEALTH BENEFITS - MAR 2021	351543	3/2/21	560.00
STEWART, G	RETIREE HEALTH BENEFITS - MAR 2021	351544	3/2/21	200.00
STRASEN, W	RETIREE HEALTH BENEFITS - MAR 2021	351545	3/2/21	135.00
TIPTON, B	RETIREE HEALTH BENEFITS - MAR 2021	351546	3/2/21	250.00
VERRY, L	RETIREE HEALTH BENEFITS - MAR 2021	351547	3/2/21	280.00
VILLAGOMEZ, J	RETIREE HEALTH BENEFITS - MAR 2021	351548	3/2/21	480.00
WHITE, J	RETIREE HEALTH BENEFITS - MAR 2021	351549	3/2/21	230.00
YBARRA, A	RETIREE HEALTH BENEFITS - MAR 2021	351550	3/2/21	220.00
	<b>TOTAL RETIREE PAYMENT</b>			<b>29,809.64</b>
YOUNG, G	REIMB: YOUNG LUNCHES PROMO WORKSHOP	351466	3/1/21	649.89
AGUINIGA, FERNANDO	CITATION REFUNDS- JANUARY 2021	351551	3/2/21	10.00
AKINO, JOSEPH	CITATION REFUNDS- JANUARY 2021	351552	3/2/21	10.00
ANDERSON, S	TRAINING ADV SUB ACTIVE SHOOTER	351553	3/2/21	512.00
ATLAS TECHNICAL CONSULTANTS	P1 SEWER UPSIZE PROJECT - ENG/PW	351554	3/2/21	5,459.00
BARROSO, AGUSTIN	CITATION REFUNDS-DECEMBER 2020	351555	3/2/21	10.00
BASTIDA, JOCELYN	TRAINING REIMB FOR RPT WRITING / PD	351556	3/2/21	142.03
CALIFORNIA ASSOCIATION OF CODE	CACEO WEBINAR CORDOVA / NSD	351557	3/2/21	25.00
CAPPO INC	2021-2022 CAPPO MEMBERSHIP/DEBBIE LUNT	351558	3/2/21	130.00



**WARRANT REGISTER # 35  
3/2/2021**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
CASTRO, ALONSO	CITATION REFUNDS-DECEMBER 2020	351559	3/2/21	10.00
CERVANTES, ROCIO	CITATION REFUNDS-DECEMBER 2020	351560	3/2/21	10.00
CHEN RYAN ASSOCIATES INC	BAYSHORE BIKEWAY SEGMENT 5 - ENG/PW	351561	3/2/21	10,391.70
CHILDREN'S HOSPITAL	NC SAFE ROUTES TO SCHOOL - ENG/PW	351562	3/2/21	21,960.15
CITY OF NATIONAL CITY	PETTY CASH REPLENISHMENT FOR NOV 2020	351563	3/2/21	505.88
CITY OF SAN DIEGO	TRANSPORTATION – TREATMENT FEES FY 2021	351564	3/2/21	1,029.91
COUNTY OF SAN DIEGO	COUNTY OF SD/PC REVENUE PER GC76000-7610	351565	3/2/21	7,560.00
COUNTY OF SAN DIEGO	COUNTY OF SD SHARE/PARKING CITATION REVENUE	351566	3/2/21	6,415.00
DANH, PHIP	CITATION REFUNDS-DECEMBER 2020	351567	3/2/21	80.00
DELGADO, E	EMPLOYEE REIMBURSEMENT	351568	3/2/21	1,583.94
DEPARTMENT OF TRANSPORTATION	HIGHWAY LIGHTING FOR FY 2021	351569	3/2/21	14,443.82
DICK MILLER INC	CIP 18-11 PARADISE CREEK WQ&C ENH- ENG/PW	351570	3/2/21	118,286.81
D-MAX ENGINEERING INC	T&A905555 RANCHO ARROYO	351571	3/2/21	6,806.57
D-MAX ENGINEERING INC	CIP 19-43 P1-SEWER UPSIZING - ENG/PW	351572	3/2/21	4,200.58
DOMINGUEZ, RAQUEL	CITATION REFUNDS-DECEMBER 2020	351573	3/2/21	50.00
DOUGHERTY, J	TRAINING REIM ICI HOMICIDE	351574	3/2/21	734.88
ENSAFE INC	PARADISE CREEK REMEDIATION - ENG/PW	351575	3/2/21	10,577.50
FEDEX	POSTAGE/FIRE/BOGLE	351576	3/2/21	209.13
GEOSYNTEC CONSULTANTS INC	HAZ MATERIAL MANAGEMENT - ENG/PW	351577	3/2/21	323.25
GUTIERREZ, RENA	CITATION REFUNDS-DECEMBER 2020	351578	3/2/21	10.00
HDR ENGINEERING, INC.	NC EX-P1 SEWER UPSIZING PROF SERVICES	351579	3/2/21	1,602.00
HERNANDEZ, AGUSTIN	CITATION REFUNDS- JANUARY 2021	351580	3/2/21	10.00
HINDERLITER DE LLAMAS	JANUARY SERVICES FOR CANNABIS MANAGEMNT	351581	3/2/21	600.00
INNOVATIVE CONSTRUCTION	CIP 19-19 ROOSEVELT SMART GROWTH - ENG/P	351582	3/2/21	31,911.00
INTERNATIONAL ASSOCIATION	TRAINING TUITION CEKANDER	351583	3/2/21	790.00
JANI-KING OF CALIFORNIA INC	FEBRUARY MONTHLY CLEANING FOR E 12 ST/D	351584	3/2/21	7,250.00
KIMLEY HORN	EUCLID AVE BIKE/PED DSDC - ENG/PW	351585	3/2/21	2,405.00
KTUA	ROOSEVELT AVE SMART GROWTH CONSTRUCTION	351586	3/2/21	1,434.75
LASER SAVER INC	TONER CARTRIDGE FOR SECTION 8 DEPARTMENT	351587	3/2/21	228.27
LOPEZ, RUBEN	TRAINING POST ADV SUB ACTIVE SHOOTER	351588	3/2/21	512.00
MARQUEZ, ISMAEL	CITATION REFUNDS-DECEMBER 2020	351589	3/2/21	80.00
MARTINEZ, JOSEPH	CITATION REFUNDS- JANUARY 2021	351590	3/2/21	10.00
MARTINEZ, JOSE	CITATION REFUNDS-DECEMBER 2020	351591	3/2/21	10.00
MTS	MTS FLAGGING / NSD	351592	3/2/21	112.08
NATIONAL TRAINING CONCEPTS	TRAINING TUITION ACTIVE SHOOTER FOR LOPEZ	351593	3/2/21	1,024.00
NAVA, INGRID	CITATION REFUNDS-DECEMBER 2020	351594	3/2/21	10.00
NHA ADVISORS LLC	WORKSHOP CONSULTING / MEETINGS & PRESENT	351595	3/2/21	7,356.25
NV5 INC	T&A90437 HABITAT FOR HUMANATY	351596	3/2/21	6,073.00
PIPPEN, GERALD	CITATION REFUNDS- JANUARY 2021	351597	3/2/21	10.00
PORTILLO CONCRETE INC	CIP 18-10 EUCLID AVE BICYCLE/PED ENHANCEMENT	351598	3/2/21	99,737.63
PROFESSIONAL SEARCH GROUP LLC	TEMP SVC / NSD	351599	3/2/21	3,264.00
PROJECT PROFESSIONALS CORP	CIP 18-07 PARADISE CREEK PARK III - ENG/	351600	3/2/21	11,373.75
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SVC / NSD	351601	3/2/21	53.14
RANDALL LAMB ASSOCIATES INC	NCPD STANDBY POWER CONVERSION - ENG/PW	351602	3/2/21	15,350.00
RAPADA, JAMES	CITATION REFUNDS- JANUARY 2021	351603	3/2/21	10.00
RODRIGUEZ, MARIA	CITATION REFUNDS- JANUARY 2021	351604	3/2/21	60.00
SANDOVAL, K,IMBERLY	CITATION REFUNDS- JANUARY 2021	351605	3/2/21	80.00



**WARRANT REGISTER # 35  
3/2/2021**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SCOTT, DAVID	CITATION REFUNDS- JANUARY 2021	351606	3/2/21	30.00
SEGAL, M	TRAINING REIMB ICI HOMICIDE MONTRY	351607	3/2/21	735.36
SMART & FINAL	CASA YOUTH FRIENDSHIP AND BIRTHDAY REIMB	351608	3/2/21	93.24
SOLOMON, ROUSTON	CITATION REFUNDS-DECEMBER 2020	351609	3/2/21	80.00
SOUTHWEST SIGNAL SERVICE	INTERSECTION MAINTENANCE / OCTOBER	351610	3/2/21	11,678.55
STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES	351611	3/2/21	64.42
STEVENS, CHARLES	TRAINING REIM ICI CORE INV	351612	3/2/21	80.00
T MAN TRAFFIC SUPPLY	PREMARK - TRAFFIC SUPPLIES	351613	3/2/21	1,911.83
TAPIA, N	TRAINING REIMBUR RPT WRTN	351614	3/2/21	154.68
TAYLOR, J	TRAINING REIM FIREARMS INST	351615	3/2/21	555.48
THE SHERWIN WILLIAMS CO	MOP 77816 PAINT SUPPLIES / NSD	351616	3/2/21	105.55
TONGSON, SHIRLEY	CITATION REFUNDS- JANUARY 2021	351617	3/2/21	1.00
URIBE, ARACELI	CITATION REFUNDS- JANUARY 2021	351618	3/2/21	30.00
WAXIE SANITARY SUPPLY	JANITORIAL SUPPLIES / FIRE	351619	3/2/21	114.02
WEST COAST ARBORISTS	ONGOING TREE TRIMMING SERVICE / PARKS	351620	3/2/21	38,250.00
WHILLOCK CONTRACTING	CIP 18-07 PARADISE CREEK PARK SITE REMED	351621	3/2/21	149,579.49
WSP USA INC	NATIONAL CITY PARKING PLAN - ENG/PW	351622	3/2/21	13,347.08
WSP USA INC	FOCUSED GENERAL PLAN UPDATE	351623	3/2/21	7,760.53
YANG, MATTHEW	CITATION REFUNDS- JANUARY 2021	351624	3/2/21	50.00

**A/P Total 628,115.14**

**SECTION 8 HAPS**

**Start Date**  
2/24/2021

**End Date**  
3/2/2021

**1,047,983.89**

**GRAND TOTAL**

**\$ 1,676,099.03**

**Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



\_\_\_\_\_  
PHILLIP DAVIS, FINANCE

\_\_\_\_\_  
BRAD RAULSTON, CITY MANAGER

**FINANCE COMMITTEE**

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

\_\_\_\_\_  
JOSE RODRIGUEZ, VICE-MAYOR

\_\_\_\_\_  
MARCUS BUSH, COUNCIL MEMBER

\_\_\_\_\_  
RONALD J. MORRISON, COUNCIL MEMBER

\_\_\_\_\_  
MONA RIOS, COUNCIL MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 6<sup>th</sup> OF APRIL, 2021.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [An ordinance of the City Council of the City of National City, California adding National City Municipal Code Section 9.60 to regulate commercial cannabis. \(City Manager\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.** 17

**ITEM TITLE:**

An ordinance of the City Council of the City of National City, California adding National City Municipal Code Section 9.60 to regulate commercial cannabis. (City Manager)

**PREPARED BY:**

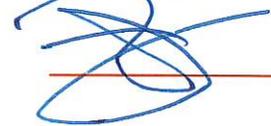
Megan Gamwell, Economic Development Specialist

**DEPARTMENT:**

City Manager's Office

**PHONE:** 619-336-4216

**APPROVED BY:**



**EXPLANATION:**

Consistent with the direction given by City Council on March 2, 2021, City staff is returning to the City Council with a commercial cannabis ordinance attached hereto as Attachment 2.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

Finance

**APPROVED:** \_\_\_\_\_

MIS

**ENVIRONMENTAL REVIEW:**

n/a

**ORDINANCE:** INTRODUCTION:

FINAL ADOPTION:

**STAFF RECOMMENDATION:**

1. The City Council move to adopt the Ordinance.
2. Direct staff to organize a City Council workshop to discuss terms including social equity that would be included in a template development agreement.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. City Staff Report
2. Ordinance
3. Maps

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA ADDING NATIONAL CITY MUNICIPAL SECTION 9.60 TO REGULATE COMMERCIAL CANNABIS (CITY MANAGER)**

**STAFF RECOMMENDED CITY COUNCIL ACTIONS:**

1. Adopt the ordinance
2. Direct staff to organize a City Council workshop to discuss terms including social equity that would be included in a template development agreement

**SECOND READING OF AN ORDINANCE ALLOWING COMMERCIAL CANNABIS FACILITIES**

Consistent with the direction given by City Council on March 2, 2021 the ordinance with amendments is attached hereto as Attachment 2.

**NEXT STEPS IF THE ORDINANCE IS ADOPTED**

- Adoption of a resolution authorizing city staff to request access to application background checks through the California Department of Justice.
- Public Hearing and first reading to the City Council to strike and replace existing City of National City municipal code section 18.30.340 & 345 – Commercial Marijuana Activity. (Item 18 on tonight's agenda).
- Second reading of municipal code section 18.30.340 & 345.
- Adoption of a resolution setting the number of each type of commercial cannabis business that shall be permitted to operate in the City of National City.
- City staff to host a workshop to gather information on social equity programs to be included in a template development agreement.
- Creation and adoption of a full cost recovery of application process.
- Process applications until deemed complete.
- Negotiate development agreements and bring to City Council for approval. The development agreement will include community benefits and social equity programs.

**BACKGROUND/ANALYSIS**

- 2012 City Council initially prohibited cannabis as part of a land-use update.
- January 19, 2016- City Council passed a ban on cannabis cultivation.
- November 2016- Proposition 64 (Control, Regulate and Tax Adult Use of Marijuana Act) was approved by 57% of voters in California. Voting results in National City were 7,551 (50.04%) against and 7,540 (49.96%) in favor.
- June 18, 2019- City Council authorized staff to retain the services of HdL to assist with community outreach and the development of a draft cannabis ordinance, an application review process and cost recovery fees.
- September 17, 2019- HdL presented its initial findings to the City Council, after which direction was provided to staff to develop an ordinance that would allow up to three cannabis businesses through development agreements to be located in National City's Industrial Zones.
- October 16, 2019- through November 5, 2019- The City developed a survey to gather input from the community to help guide the development of its cannabis regulatory program, including community impacts to be addressed through regulations and programs to be funded through a community benefits fee.
- October 22, 2019- City staff hosted a community workshop on cannabis in the Library Community Room.

- February 18, 2020- City Council directs staff to establish a set community benefits fee rate of 5% of gross receipts for all cannabis businesses; expand the proposed number of cannabis business operations from 3 to 6 (3 remaining in the originally proposed Industrial Zones and 3 being added to the areas zoned Tourist Commercial (CT) in the Marina District west of I-5); and to include consumption lounges as an allowable business type in the ordinance.
- March 17, 2020- Cannabis ordinance scheduled for first hearing of the ordinance at City Council. Due to COVID-19 the item was pulled from the agenda.
- March 2, 2021- Cannabis ordinance is reintroduced with changes based on City Council direction and public input.
- March 15, 2021- National City Planning Commission voted to deny an amendment to sections 18.30.340 (Medical Marijuana Dispensaries) and 18.30.345 (Medical Marijuana Cultivation) of Title 18 (Zoning) of the National City Municipal Code.
- April 6, 2021 – Cannabis ordinance is brought back to City Council for adoption with amendments based off City Council direction on March 2, 2021.

### **COST RECOVERY AND FISCAL ANALYSIS:**

Application fees will be imposed to offset staff and consultant costs for processing applications and approvals for cannabis activities. Additional fees, and other fiscal benefit arrangements will be considered at a later date to offset additional staff and policing costs associated with ongoing cannabis operations, which costs are unknown at this time.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)**

An initial review of the proposed ordinance has been conducted pursuant to the California Environmental Quality Act (California Public Resources Code §§21000, et seq., “CEQA”) and CEQA regulations (14 California Code of Regulation 15000, et seq.). The proposed ordinance and resolution would delete the existing prohibition on cannabis uses in the Municipal Code and add provisions to regulate commercial cannabis activity that: (i) will not adversely affect adjoining property as to value or precedent and will not be detrimental to the area; (ii) does not authorize any new construction or use but rather describes a process that will require vetting of environmental, land use and operational issues in connection with each application for a Certificate of Approval and is therefore not a “project” under CEQA because it establishes “general policy and procedure making” (CEQA Guidelines Sec.15378(b)(2)), and constitutes “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” (CEQA Guidelines 15378(b)(5)); (iii) the implementing resolution is self-mitigating insofar as it provides the means for avoiding environmental impacts, if any are identified, as part of each discretionary application and as provided in NCMC Section 18.12.040 (C) each application is subject to separate environmental review under CEQA; and (iv) issuance of ministerial permits for personal, noncommercial cultivation is categorically exempt as a Class 1 or Class 5 project insofar as, at best, the activities that are authorized would constitute a minor alteration of existing public structures involving no expansion of use, or a minor Page 8 of 146 alteration in land use limitations (see 14 CCR Sections 15031, 15305). Based on the foregoing staff has determined that this ordinance is exempt from further environmental review.

### **Local Coastal Program**

The proposed ordinance and implementing resolution do not amend the City’s certified Local Coastal Program (LCP). The ordinance provides licensing and health and safety regulations for cannabis uses under Title 9 of the NCMC. Zoning and development standards of NCMC Title 18 are not changed except for partial repeal of the prohibition on cannabis uses under Chapter 18.30 of Division 3, which chapter is not part of the LCP. Similarly, the proposed implementing resolution is declarative of existing zoning and does not alter the City’s zoning map, development standards or the LCP. Accordingly, no LCP amendment or other Coastal Commission approval is required for the ordinance and resolution

**NATIONAL CITY ORDINANCE  
ADDING CHAPTER 9.60 TO THE NATIONAL CITY MUNICIPAL CODE  
REGULATION OF COMMERCIAL CANNABIS ACTIVITY**

**Section 9.60.010. Purpose and Intent.**

It is the purpose and intent of this Chapter to implement the provisions of the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”) to accommodate the needs of medically-ill persons in need of cannabis for medicinal purposes as recommended by their health care provider(s), and to provide access to same. It is also the purpose and intent of this Chapter to provide access to adult-use cannabis for persons aged twenty-one (21) and over as authorized by the Control, Tax & Regulate the Adult Use Cannabis Act (“AUMA” or “Proposition 64” approved by California voters in 2016), while imposing sensible regulations on the use of land to protect the City of National City’s residents, neighborhoods, and businesses from disproportionately negative impacts. As such, it is the purpose and intent of this Chapter to regulate the cultivation, processing, manufacturing testing, sale, delivery, distribution and transportation of cannabis and cannabis products in a responsible manner to protect the health, safety, and welfare of the residents of the City of National City and to enforce rules and regulations consistent with state and local law. It is the further purpose of intent of this Chapter to require all commercial cannabis operators to obtain and renew annually a commercial cannabis business permit to operate within the City of National City. Nothing in this Chapter is intended to authorize the possession, use, or provision of cannabis for purposes that violate state or local law. The provisions of this Chapter are in addition to any other permits, licenses and approvals which may be required to conduct business in the City of National City, and are in addition to any permits, licenses and approval required under state, City, or other law.

**Section 9.60.020. Legal Authority.**

Pursuant to Sections 5 and 7 of Article XI of the California Constitution, the provisions of the MAUCRSA, and any subsequent state legislation and/or regulations regarding same, the City of National City is authorized to adopt ordinances that establish standards, requirements and regulations for the licensing and permitting of commercial cannabis activity. Any standards, requirements, and regulations regarding health and safety, security, and worker protections established by the State of California, or any of its departments or divisions, shall be the minimum standards applicable in the City of National City to all commercial cannabis activity.

**Section 9.60.030. Cannabis Cultivation and Commercial Cannabis Activities Prohibited Unless Specifically Authorized by this Chapter.**

Except as specifically authorized in this Chapter, the commercial cultivation, manufacture, processing, storing, laboratory testing, labeling, sale, delivery, distribution or transportation (other than as provided under Bus. & Prof. Code Section 26090(e)), of cannabis or cannabis product is expressly prohibited in the City of National City.

#### **Section 9.60.040. Compliance with State and Local Laws.**

It is the responsibility of the owners and operators of the commercial cannabis business, or any other responsible person(s), to ensure that it is, always, operating in a manner compliant with all applicable state and local laws, and any regulations promulgated thereunder. Nothing in this Chapter shall be construed as authorizing any actions that violate state law or local law with respect to the operation of a commercial cannabis business. It shall be the responsibility of the owners and the operators of the commercial cannabis business, or any other responsible person(s), to ensure that the commercial cannabis business is, at all times, operating in a manner compliant with all applicable state and local laws, including the MAUCRSA, and any subsequently enacted state or local law or regulatory, licensing, or certification requirements, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of the commercial cannabis business permit.

#### **Section 9.60.050. Definitions.**

All definitions pertaining to cannabis regulation that appear in Business and Professions Code Section 26001, as codified by Senate Bill 94, MAUCRSA, are hereby incorporated by reference. Definitions appearing in this ordinance are either those that are not covered by state law, pre-date Proposition 64 and the MAUCRSA, or are outside the scope of Section 26001.

(a) “Adult Use” means the use of cannabis for recreational purposes by persons twenty-one (21) years of age or older.

(b) “Canopy” shall have the same meaning as that appearing in Title 3, Section 8000(f) of the California Code of Regulations.

(c) “Caregiver” or “primary caregiver” has the same meaning as that term is defined in Section 11362.7 of the California Health and Safety Code.

(d) “Distributor” shall have the same meaning as that appearing in Section 26070 of the Business and Professions Code.

(e) “Commercial cannabis business” means any business or operation which engages in medicinal or adult-use commercial cannabis activity.

(f) “Commercial cannabis business permit” means a regulatory permit issued by the City of National City pursuant to this Chapter, to a commercial cannabis business and is required before any commercial cannabis activity may be conducted in the City of National City. The initial permit and annual renewal of a commercial cannabis business is made expressly contingent upon the business’ ongoing compliance with all of the requirements of this Chapter, any regulations adopted by the City of National City governing the commercial cannabis activity at issue, and any other state and local laws and regulations.

(g) “Consumption lounge” means an area that is part of the premises of a state-licensed, locally permitted commercial cannabis retail business, and that is designated for consumption of cannabis or cannabis products.

(h) “Dispensing” means any activity involving the retail sale of cannabis or cannabis products from a retailer.

(i) “Electronic Smoking Device” means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, including any component, part, or accessory of such a device, whether or not sold separately. “Electronic Smoking Device” includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. “Electronic Smoking Device” also includes cartridges, cartomizers, e-liquid, smoke juice, tips, atomizers, Electronic Smoking Device batteries, Electronic Smoking Device charges, and any other item specifically designed for the preparation, charging, or use of Electronic Smoking Devices.

(j) “Limited-access area” means an area in which cannabis is stored or held and is only accessible to some licensee and authorized personnel.

(k) “Manufactured cannabis” means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, extraction or other manufactured product intended for internal consumption through inhalation or oral ingestion or for topical application.

(l) “Manufacturing site” means a location that produces, prepares, propagates, or compounds cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a person issued a valid commercial cannabis business permit for manufacturing from the City of National City and, a valid state license as required for manufacturing of cannabis products.

(m) “Microbusiness” shall have the same meaning as that contained in Section 26070(a)(3) of the Business and Professions Code.

(n) “Non-volatile solvent” means any solvent used in the extraction process that is not a volatile solvent as defined by state law. For purposes of this chapter, a nonvolatile solvent includes carbon dioxide (CO<sub>2</sub>) used for extraction and ethanol used for extraction or post-extraction processing.

(o) “Package” means any container or receptacle used for holding cannabis or cannabis products.

(p) “Patient” or “qualified patient” shall have the same definition as California Health and Safety Code Section 11362.7 et seq., as it may be amended, and which means a person who is entitled to the protections of California Health & Safety Code Section 11362.22.

(q) “Person with an identification card” shall have the meaning given that term by California Health and Safety Code Section 11362.7.

(r) “Processing” means a cultivation site that conducts only trimming, drying, curing, grading, packaging, or labeling of cannabis and non-manufactured cannabis products.

(s) “Responsible person(s)” shall include but not be limited to a property owner, tenant, manager, permit holder, or any other person with a legal interest in the affected real property and any person in possession of the affected real property.

(t) “Retailer” shall have the same meaning as the definition appearing in Section 26070(a)(1) of the Business and Professions Code.

(u) “State license” means a permit or license issued by the State of California, or one of its departments or divisions, under MAUCRSA and any subsequent State of California legislation regarding the same to engage in commercial cannabis activity. A state license alone will not authorize the holder to operate a cannabis business, as state law also requires a permit or other authorization issued by a local jurisdiction.

(v) “THC” means Tetrahydrocannabinol, the primary active ingredient in cannabis. It is a psychotropic intoxicant causing euphoria and capable of altering human perception and motor skills.

(w) “Topical cannabis” means a product intended for external application and/or absorption through the skin. A topical cannabis product is not considered a drug as defined by Section 109925 of the California Health and Safety Code.

(x) “Transport” means the transfer of cannabis products from the permitted business location of one licensee to the permitted business location of

another licensee, for the purposes of conducting commercial cannabis activity authorized by MAUCRSA which may be amended or repealed by any subsequent State of California legislation regarding the same. Transport can only be performed by licensed distributors and does not include deliveries of cannabis or cannabis products.

(y) "Vape cartridge" means a small attachment to a cannabis e-cigarette or vape pen that is a pre-filled container of cannabis oil. Vape cartridges are sold pre-filled with cannabis concentrates which contain cannabis' active ingredients. The liquid in such products usually contains a propylene glycol or vegetable glycerin-based liquid with flavoring and other chemicals and metals. Many vape cartridges are high in THC, but some contain cannabidiol (CBD, a non-psychoactive cannabinoid used as an analgesic), or terpenes (the chemicals that give cannabis its flavorful tastes and aromas).

(z) "Vaping" means the action or practice of inhaling and exhaling the vapor produced by an electronic cigarette or similar device.

(aa) "Volatile solvent" means a solvent as defined by Health and Safety Code Section 11362.3(b)(3) as of the effective date of this article and as subsequently amended.

(bb) "Youth center" means any public or private facility that is primarily used to host recreation or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades where 10 or more video games or game machines or devices are operated, and where minors are legally permitted to conduct business, or similar amusement park facilities. It shall also include a park, playground or recreational area specifically designed to be used by children which has play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any similar facility located on a public or private school grounds, or on city, county or state parks. This definition shall not include any private martial arts, yoga, ballet, music, art studio or similar studio of this nature nor shall it include any private gym, athletic training facility, pizza parlor, dentist office, doctor's office primarily serving children or a location which is primarily utilized as an administrative office or facility for youth programs or organizations.

### **Section 9.60.060. Authorization to Engage in Commercial Cannabis Business.**

- (a) No person may engage in any authorized commercial cannabis business or in any commercial cannabis activity within the City of National City including cultivation, manufacture, processing, laboratory testing, transporting, dispensing, distribution, or sale of cannabis or a cannabis product unless

the person has the following:

- (1) a valid commercial cannabis business permit issued by the City of National City;
  - (2) a valid business license issued by the City of National City;
  - (3) a mandatory building inspection and all required permits and approvals which would otherwise be required for any business of the same size and intensity operating in that zone. This includes but is not limited to obtaining any required building permit(s), the National City Fire Department approvals, Health Department approvals and other zoning and land use permit(s) and approvals.
  - (4) a valid state license for the commercial cannabis activity corresponding to the business permit issued by the City of National City;
  - (5) requisite approvals from the Planning Division of the National City Community Development Department;
  - (6) a valid development agreement jointly negotiated with the City of National City;
  - (7) a valid State of California Seller's Permit.
- (b) Development agreement
- (c) No permit shall be issued pursuant to this Chapter for outdoor commercial cannabis cultivation, which is prohibited. It is a violation of this Chapter for any person or entity to engage in any outdoor commercial cannabis cultivation of any kind.

### **Section 9.60.070. Location and Design of Cannabis Businesses.**

Cannabis businesses permitted by the City of National City to engage in Cultivation, Distribution, Manufacturing, Microbusiness, Testing Labs, or Retail ancillary to the primary activity of the business, for cannabis and cannabis products are subject to the following zoning and locational requirements:

- (a) Cultivation, Distribution, Testing Laboratories and Microbusinesses must be located in the following zones: IL (Light Industrial), IM (Medium Industrial), IH (Heavy Industrial) and must meet all of the requirements for development in these zones (see Section 18.20.020, National City Municipal Code). The cannabis businesses must also meet all of the following distance requirements:

- (1) It shall be no closer than six hundred (600) feet from any zoned parcel in the City of National City designated by state law as a sensitive use, and pursuant to Section 9.60.070 (a) (3). The distance measured shall be the horizontal distance measured in a straight line from the property line of those parcels in Section 9.60.070 (a) (3) to the closest property line of the lot on which the cannabis business is located.
- (2) It shall be no closer than two hundred fifty (250) feet of any residentially zoned parcel in the City of National City as of the date the cannabis business permit is issued. The distance between the cannabis business and the residential parcel shall be measured from the outer boundaries of the residential parcel to the first structure on the property seeking the commercial cannabis permit.
- (3) It shall be no closer than six hundred (600) feet from any parcel containing any of the following:
  - A. A school providing instruction in kindergarten or any grades 1 through 12, (whether public or private, or charter, including pre-school, transitional kindergarten, and K-12);
  - B. A commercial daycare center licensed by the State, County or City or that is in existence at the time the license is issued, unless the State licensing authority or the City of National City specifies a different radius.
  - C. A youth center that is in existence at the time the license is issued, unless the State licensing authority or the City of National City specifies a different radius.
- (b) Consumption lounges must be located in the following: CT (Tourist Commercial) West of Interstate 5 and must meet all of the requirements for development in these zones (see Section 18.20.020, National City Municipal Code). They must also comply with the buffer zone requirements contained in 9.60.070(a).
- (c) Each proposed cannabis business project shall:
  - (1) Conform with the City of National City's general plan, any applicable specific plans, master plans, and design requirements.
  - (2) Comply with all applicable zoning and related development standards.
  - (3) Be constructed in a manner that minimizes odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties.

- (4) Be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required for the development.
- (5) Be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.
- (6) Be provided with adequate electricity, sewerage, disposal, water, fire protection and storm drainage facilities for the intended purpose.

**Section 9.60.080. Maximum Number and Type of Authorized Commercial Cannabis Businesses Permitted.**

- (a) The number of each type of commercial cannabis business that shall be permitted to operate in the City of National City shall be established by resolution by the City Council.
- (b) Section 9.60.080 is only intended to create a process in determining the maximum number of commercial cannabis businesses that may be issued permits to operate in the City of National City under each category. Nothing in this Chapter creates a mandate that the City Council must issue any or all of the commercial cannabis business permits if it is determined that the applicants do not meet the standards which are established in the application requirements, or by further amendments to the application process, or if the City Council upon further deliberation determines that the issuance of any or all commercial cannabis business permits will negatively impact the public safety, welfare or other public policy concerns.
- (c) Each year following the City Council's initial award of permits, if any, or at any time in the City Council's discretion, the City Council may reassess the number of commercial cannabis business permits which are authorized for issuance. The City Council at its discretion, may determine that the number of commercial cannabis permits should stay the same, or be expanded.

**Section 9.60.090. Fees and Charges.**

- (a) No person may commence or continue any commercial cannabis activity in the City of National City, without timely paying in full all fees and charges required for the operation of a commercial cannabis activity. Fees and charges associated with the operation of a commercial cannabis activity shall be established by resolution of the City Council which may be amended from time to time.

- (b) All commercial cannabis businesses authorized to operate under this Chapter shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees required under federal, state and local law. Each commercial cannabis business shall cooperate with the City of National City with respect to any reasonable request to audit the commercial cannabis business' books and records for the purpose of verifying compliance with this section, including but not limited to a verification of the amount of taxes required to be paid during any period.

### **Section 9.60.100. Development Agreement.**

Prior to operating in the City of National City and as a condition of issuance of a regulatory permit, the operator of each cannabis facility shall enter into a Development Agreement with the City of National City setting forth the terms and conditions under which the cannabis facility will operate that are in addition to the requirements of this Chapter, including, but not limited to community benefits such as public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety and welfare.

### **Section 9.60.110. Evidence of Cannabis Owner(s), Representative(s) and Employee(s) Background Check Required.**

- (a) Pursuant to California Penal Code Sections 11105(b)(11) and 13300(b)(11), which authorize city authorities to access state and local criminal history information for employment, licensing, or certification purposes, and authorize access to federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation, every applicant for a Certificate of Approval (including owners and other representatives of the applicant) and every person to be employed at the facility must submit fingerprints and other information deemed necessary by the ~~City of National City Chief of Police~~ **City Manager or their designee(s)** for a background check by the National City Police Department. A fee for the cost of the background investigation, which shall be the actual cost to the City of National City to conduct the background investigation as it deems necessary and appropriate, including City of National City staff time and costs, shall be paid at the time the person submits for the background check.
- (b) The criminal background check must at a minimum identify the following:

- 1) Whether the individual applying for employment has ever been convicted of a violent felony as defined by California Penal Code 667.5, or equivalent offenses in other states;
  - 2) Whether the individual applying for employment has ever been convicted of a crime involving dishonesty, fraud or deceit, including but not limited to fraud, forgery, theft, or embezzlement as those offenses are defined in California Penal Code Sections 186.11, 470, 484, and 504a, respectively; or equivalent offenses in other states; or
  - 3) Whether the individual applying for employment has ever been convicted of the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, not including cannabis-related offenses for which the conviction occurred after the passage of the Compassionate Use Act of 1996.
- (c) Evidence of a conviction of any the offenses enumerated in Section 9.60.110(b) ~~shall~~ may be grounds for denial of employment.
- (d) Violation of this section ~~shall~~ **may** be grounds for immediate suspension of the business' operating permit. The business operator shall have the right to an appeal pursuant to section 9.60.380.

**Section 9.60.120. Persons Prohibited from Holding a Commercial Cannabis License.**

- (a) Any person, including but not limited to any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit ("applicant"), in which any of the following actions or notices have been issued for non-compliance or if they have been engaging or have engaged in the following activity, shall be prohibited from holding a cannabis commercial license or a cannabis business permit in the City of National City:
- (1) The applicant has had a license suspended or revoked by any City, county, City and county or any other state cannabis licensing authority;
  - (2) Evidence that the applicant is delinquent in payment of federal, state or local taxes and/or fees;
  - (3) Applicant was conducting (or has conducted) commercial cannabis activity in the City of National City in violation of local

and/or state law, not including cannabis-related offenses for which the conviction occurred after the City banned cannabis in 2012.

- (4) If any person enters into either a verbal or written agreement to lease, sublease, or any other agreement for any terms of use of the premises granted by a property owner, commercial broker or any third party, that is in violation of Section 9.60.060 and Section 9.60.150. Any such lease, sublease or agreement shall not contain terms or conditions requiring the cannabis permit licensee to pay the property owner, commercial broker, or any third party a percentage of gross receipts, royalties, equity, or other unreasonable compensation as determined by the City of National City. In addition, all leases, subleases, or other agreements must be based on a monthly rate.

#### **Section 9.60.130. Persons Prohibited from Employment by a Commercial Cannabis Business.**

- (a) Any person, including but not limited to any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, in which any of the following actions or notices have been issued for non-compliance or if they have been engaging or have engaged in the following activity, shall be prohibited from employment with a cannabis business permittee in the City of National City:
- (1) The person has had a license suspended or revoked by any City, County, or City and County, or any other state cannabis licensing authority;
  - (2) Evidence that the person is delinquent in payment of federal, state or local commercial taxes and/or fees.
  - (3) The person was conducting commercial cannabis activity in the City of National City in violation of local and/or state, not including cannabis-related offenses for which the conviction occurred after the city banned cannabis in 2012.

#### **Section 9.60.140. Certification from the Community Development Department.**

Prior to submitting any applications for a commercial cannabis business, applicant must first obtain a certification from the City of National City Community Development

Department or its designee(s) certifying that the business is located on a site that meets all of the requirements of Sections 9.60.070 and 9.60.230 of this Chapter.

**Section 9.60.150. Right to Occupy and to Use Property.**

Prior to submitting any applications for a commercial cannabis business, applicant must obtain approval from the owner of the real property where the proposed commercial cannabis business will be located (if approved). Applicants are not required to have a signed lease, but a letter from the property owner indicating that:

- (a) The property owner is aware of and approves of the use being proposed.
- (b) The property owner will lease the property to the cannabis related use upon approval of the application.
- (c) The property owner understands that licenses for cannabis related uses are for one year and can be revoked at the City of National City's sole discretion with or without reason.

Property owners are permitted to issue letters detailing such contingent lease agreements for a maximum of two (2) independent applicants.

In the event the proposed location will be leased from the property owner, the applicant shall be required to provide a signed and notarized statement from the owner of the property, acknowledging that the property owner has read this Chapter and consents to the operation of the commercial cannabis business on the owner's property.

**Section 9.60.160. Application Procedure for a Cannabis Business Permit.**

- (a) The City of National City will establish by administrative policies and procedures promulgated by the City Manager or their designee the procedures to prepare the necessary forms, adopt any necessary rules related to the application process, solicit applications, and conduct initial evaluations of the applicants.
- (b) At the time of filing, each applicant shall pay an application fee established by resolution of the City Council, to cover all costs incurred by the City of National City in the application process.
- (c) The application procedure process shall include a component on community benefits. Any community benefits that a commercial cannabis business agrees to provide shall be incorporated into the terms and conditions under which the commercial cannabis business will operate with the City of National City's approval, if and when a Development Agreement is issued. Such terms and conditions shall be in addition to the

requirements of this Chapter. The City of National City may establish the procedures for determining community benefits by Resolution and/or by the implementation of administrative policies and procedures promulgated by the City Manager or their designee.

(d) The City of National City's Reservation of Rights.

The City of National City reserves the right to reject any or all applications. Prior to permit issuance, the City of National City may also modify, postpone, or cancel any request for applications, or the entire program under this Chapter, at any time without liability, obligation, or commitment to any party, firm, or organization, to the extent permitted under California state law. Persons submitting applications assume the risk that all or any part of the program, or any particular category of permit potentially authorized under this Chapter, may be cancelled at any time prior to permit issuance. The City of National City further reserves the right to request and obtain additional information from any candidate submitting an application.

(e) Grounds for Rejection of Application.

In addition to a failure to comply with other requirements in this Chapter, an application risks being rejected for any of the following reasons:

- (1) The application was received after the designated time and date of the deadline.
- (2) The application did not contain the required elements, exhibits, or was not organized in the required format.
- (3) The application was considered not fully responsive to the request for a permit application, i.e. was substantially incomplete.

**Section 9.60.180. Operations Plan and Standards.**

A Certificate of Approval issued by the Planning Division of the National City Community Development Department for a facility must include, as conditions of approval, the operating standards set forth below. In addition, the Certificate of Approval must incorporate by reference an Operations Plan approved by the City of National City Chief of Police, that implements not only the operating standards set forth in this Chapter, but such additional conditions that the ~~City of National City Chief of Police~~ City Manager or their designee finds reasonably necessary to implement this Chapter when considering the location, size and other characteristics of the proposed facility.

**Section 9.60.190. Limitations on City's Liability.**

To the fullest extent permitted by law, the City of National City shall not assume any liability whatsoever with respect to having issued a commercial cannabis business permit pursuant to this Chapter or otherwise approving the operation of any commercial cannabis business. As a condition to the approval of any commercial cannabis business permit, the applicant shall be required to meet all of the following conditions before they can receive the commercial cannabis business permit:

- (a) Execute an agreement, in a form approved by the City of National City City Attorney or their designee, agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the City of National City, and its officers, officials, employees, representatives, and agents, harmless, from any and all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to, the City of National City's issuance of the commercial cannabis business permit, the City of National City's decision to approve the operation of the commercial cannabis business or activity, the process used by the City of National City in making its decision, or the alleged violation of any federal, state or local laws by the commercial cannabis business or any of its officers, employees or agents.
- (b) Maintain insurance at coverage limits, and with conditions thereon determined necessary and appropriate from time to time by the City Manager, City Attorney, and the City's Risk Manager or their designee.
- (c) Reimburse the City of National City for all costs and expenses, including but not limited to legal fees and costs and court costs, which the City of National City may be required to pay as a result of any legal challenge related to the City of National City's approval of the applicant's commercial cannabis business permit, or related to the City of National City's approval of a commercial cannabis activity. The City of National City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve any of the obligations imposed hereunder.

**Section 9.60.200. Restriction on Alcohol & Tobacco Sales.**

- (a) No person shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on or about the premises of the commercial cannabis business.
- (b) No person shall cause or permit the sale of tobacco products on or about the premises of the commercial cannabis business.

**Section 9.60.225. Restriction on Consumption of Cannabis or other Substances.**

No person shall consume cannabis, cannabis products, tobacco or alcohol on the premises of any commercial cannabis business. The sole exception shall be authorized cannabis consumption lounges of which tobacco and alcohol shall also be prohibited.

**Section 9.60.230. General Operating Requirements for all Commercial Cannabis Businesses.**

- (a) Commercial cannabis businesses may operate only during the hours specified in the commercial cannabis business permit issued by the City. No person under the age of twenty-one (21) shall operate, maintain, be employed at, or be issued a permit for, a commercial cannabis business of any kind.
- (b) No cannabis or cannabis products or graphics depicting cannabis or cannabis products shall be visible from the exterior of any property issued a commercial cannabis business permit, or on any of the vehicles owned or used as part of the commercial cannabis business. No outdoor storage of cannabis or cannabis products is permitted at any time.
- (c) Reporting and Tracking of Product and of Gross Sales with an accounting software system capable of providing point of sale data as well as audit trails or both product and cash, where applicable. Each commercial cannabis business shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the City of National City. The commercial cannabis business shall ensure that such information is compatible with the City of National City's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review. Furthermore, any system selected must be approved and authorized by the City Manager or their designee prior to being used by the permittee.
- (d) All cannabis and cannabis products sold, distributed or manufactured shall be cultivated, manufactured, and transported by licensed facilities that maintain operations in full conformance with the State and local regulations.
- (e) Emergency Contact. Each commercial cannabis business shall provide the **City Manager and the City Chief of Police** or their designee with the name, telephone number (both land line and mobile, if available) of an on-site

employee or owner to whom emergency notice can be provided at any hour of the day.

(f) Signage and Notices.

- (1) In addition to the requirements otherwise set forth in this section, business identification signage for a commercial cannabis business shall conform to the requirements of the City of National City ordinance, Chapter 18.47, including, but not limited to, seeking the issuance of a City of National City sign permit.
- (2) No signs placed on the premises of a commercial cannabis business shall obstruct any entrance or exit to the building or any window.
- (3) Each entrance to a commercial cannabis business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the commercial cannabis business is prohibited. This provision shall not apply to consumption lounges (see Section 9.60.265).
- (4) Business identification signage shall be limited to that needed for identification only and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No commercial cannabis business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the premises of the commercial cannabis business or elsewhere including, but not limited to, the public right-of-way.
- (5) Signage shall not depict any image of cannabis or cannabis products. No banners, flags, billboards or other prohibited signs may be used at any time.
- (6) In accordance with state law and regulations or as stipulated in the City of National City regulatory permit, holders of a commercial cannabis business permit shall agree that, as an express and ongoing condition of permit issuance and subsequent renewal, the holder of the permit shall be prohibited from advertising any commercial cannabis business located in the City of National City utilizing a billboard (fixed or mobile), bus shelter, placard, aircraft, or other similar forms of advertising. This paragraph is not intended to place limitations on the ability of a commercial cannabis business to advertise in other legally authorized forms, including on the internet, in magazines, or in other similar ways.

- (g) Minors.
- (1) Persons under the age of twenty-one (21) years shall not be allowed on the premises of a commercial cannabis business and shall not be allowed to serve as a driver for a mobile delivery service. It shall be unlawful and a violation of this Chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.
  - (2) Notwithstanding Section 9.60.230(g)(1), persons aged eighteen (18) to twenty (20) years shall be allowed on the premises of a commercial cannabis business if they can produce a physician's recommendation. In that event, such persons can lawfully purchase cannabis for the sole purpose of addressing the medical need that is the subject of the physician's recommendation. This provision shall not apply to consumption lounges. Only persons twenty-one (21) and older shall be granted admittance to consumption lounges. Access to persons under twenty-one (21) is prohibited.
  - (3) The entrance to the commercial cannabis business shall be clearly and legibly posted with a notice that no person under the age of twenty-one (21) years of age is permitted to enter upon the premises of the commercial cannabis business.
- (h) Odor Control. Odor control devices and techniques shall be incorporated in all commercial cannabis businesses to ensure that odors from cannabis are not detectable off-site. Commercial cannabis businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the commercial cannabis business that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the commercial cannabis business. As such, commercial cannabis businesses must install and maintain the following equipment, or any other equipment which the City Manager or their designee determine is a more effective method or technology:
- (1) An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;
  - (2) An air system that creates negative air pressure between the commercial cannabis business's interior and exterior, so that the odors generated inside the commercial cannabis business are not detectable on the outside of the commercial cannabis business.

- (i) Display of Permit and City Business License. The original copy of the commercial cannabis business permit and the business license issued by the City of National City pursuant to this Chapter shall be posted inside the commercial cannabis business in a location readily visible to the public.
- (j) Background Check. Pursuant to California Penal Code Sections 11105(b)(11) and 13300(b)(11), which authorizes City of National City authorities to access state and local summary criminal history information for employment, licensing, or certification purposes; and authorizes access to federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation, every person listed as an owner, manager, supervisor, employee, contract employee or who otherwise works in a commercial cannabis business must submit fingerprints and other information deemed necessary by the **Chief of Police City Manager or their designee(s)** for a background check by the City of National City Police Department. Pursuant to California Penal Sections 11105(b)(11) and 13300(b)(11), which requires that there be a requirement or exclusion from employment, licensing or certification based on specific criminal conduct on the part of the subject of the record. No person shall be issued a permit to operate a commercial cannabis business or a related work permit unless they have first cleared the background check, as determined by the **City of National City Chief of Police City Manager or their designee**, as required by this section. A fee for the cost of the background investigation, which shall be the actual cost to the City of National City to conduct the background investigation as it deems necessary and appropriate, shall be paid at the time the application for a commercial cannabis business permit is submitted. Evidence of a conviction of any of the offenses enumerated in Business and Professions Code Section 26057(b)(4), absent a Certificate of Rehabilitation, shall be grounds for immediate disqualification of the applicant.
- (k) Loitering. The owner and/or operator of a commercial cannabis business shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises. The cannabis business shall notify the National City Police Department if anyone continues to loiter around the building or premises after all reasonable action has been taken to remove the individual(s) and the action has failed to do so in a timely manner.
- (l) Employee Training and Customer Education. Each commercial cannabis operator shall establish minimum training standards for all employees, including but not limited to the variety of products offered for sale, their potency, absorption time if known, and effects of the products. Employees shall educate all customers on these items in an effort to ensure responsible consumption. The retailer shall provide with each purchase educational

brochures containing this information. The City Manager, ~~Chief of Police~~ or their designee shall have the discretion to require other training for the business operations as they find necessary under any circumstances.

- (m) Security Requirements. A permitted commercial cannabis business shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the commercial cannabis business. Except as may otherwise be determined by the City Manager, ~~Chief of Police~~ or their designee, these security measures shall include, but may not be limited to, all of the following:
- (1) Alarm system (perimeter, fire, and panic buttons).
  - (2) Remote monitoring of alarm systems by a security company licensed by the State of California Bureau of Security and Investigative Services.
  - (3) Perimeter lighting systems (including motion sensors) for after-hours security.
  - (4) Perimeter security and lightning as approved by the ~~Chief of Police or the Community Development Department~~ City Manager or their designee.
  - (5) Preventing individuals from remaining on the premises of the commercial cannabis business if they are not engaged in an activity directly related to the permitted operations of the commercial cannabis business.
  - (6) Establishing limited access areas accessible only to authorized commercial cannabis business personnel.
  - (7) Except for live growing plants which are being cultivated at a cultivation operation, all cannabis and cannabis products shall be stored in a secured and locked vault or vault equivalent. All safes and vaults shall be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft, and loss.
  - (8) Installing 24-hour security surveillance cameras of at least HD-quality to monitor all entrances and exits to and from the

premises, all interior spaces within the commercial cannabis business which are open and accessible to the public, all interior spaces where cannabis, cash or currency, is being stored for any period of time on a regular basis and all interior spaces where diversion of cannabis could reasonably occur. All cameras shall record in color. All exterior cameras shall be in weather-proof enclosures, shall be located so as to minimize the possibility of vandalism, and shall have the capability to automatically switch to black and white in low light conditions. Video recordings shall be maintained for a minimum of ninety (90) days and shall be made available to the City Manager or their designee upon request. Video shall be of sufficient quality for effective prosecution of any crime found to have occurred on the site of the commercial cannabis business and shall be capable of enlargement via projection or other means.

(9) Sensors shall be installed to detect entry and exit from all secure areas and shall be monitored in real time by a security company licensed by the State of California Bureau of Security and Investigative Services.

(10) Panic buttons shall be installed in all commercial cannabis businesses with direct notification to the National City Police Department dispatch and shall be configured to immediately alert dispatch for the National City Police Department.

(11) Any bars installed on the windows or the doors of the commercial cannabis business shall be installed only on the interior of the building in compliance with all federal, state and local laws.

(12) Security personnel shall be on-site 24 hours a day or alternative security as authorized by the City Manager, ~~Chief of Police~~ or their respective designee and must have a verified response security patrol when closed. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the City Manager, ~~Chief of Police~~ or their respective designee, with such approval not to be unreasonably withheld. Firearms may be carried by security personnel while they are on duty, if authorized by the San Diego County Sheriff's Department.

(13) Each commercial cannabis business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

(14) Entrance areas are to be locked at all times and under the control of a designated responsible party that is either; (a) an employee of the commercial cannabis business; or (b) a licensed security professional.

(15) Each commercial cannabis business shall demonstrate to the Chief of Police, City Manager or their designee, compliance with the state's track and trace system for cannabis and cannabis products, as soon as it is operational.

(16) Each commercial cannabis business shall have a professionally installed video surveillance system, access control and intrusion alarm systems designed to protect the inventory, facility, and employees. Each business shall have network security protocols that are certified by Underwriters Laboratories.

(17) Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.

(18) Emergency access and emergency evacuation plans that are in compliance with state and local fire safety standards.

(19) Each commercial cannabis business shall identify a designated security representative/liaison to the City of National City, who shall be reasonably available to meet with the City Manager ~~or the Chief of Police~~ or their designee regarding any security related measures or and operational issues. The designated security representative/liaison shall, on behalf of the commercial cannabis business, annually maintain a copy of the current security plan on the premises of the business, to present to the City Manager ~~and Chief of Police~~ or their designee upon request that meets the requirements of Section 9.60.230(m).

(20) As part of the application and permitting process each commercial cannabis business shall have a storage and transportation plan, which describes in detail the

procedures for safely and securely storing and transporting all cannabis, cannabis products, any hazardous materials that may be used by the business, and any currency.

(21) The commercial cannabis business shall cooperate with the City of National City whenever the City Manager or ~~Chief of Police~~ or their designee makes a request, with or without prior notice, to inspect or audit the effectiveness of any security plan or of any other requirement of this Chapter.

(22) A commercial cannabis business shall notify the City Manager ~~and the Chief of Police~~ or their designee(s) within twenty-four (24) hours of discovering any of the following:

- (a) Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the City Manager ~~and the Chief of Police~~ or their designee(s).
- (b) Diversion, theft, loss, or any criminal activity involving the commercial cannabis business or any agent or employee of the commercial cannabis business.
- (c) The loss or unauthorized alteration of records related to cannabis, customers or employees or agents of the commercial cannabis business.
- (d) Any other breach of security.

(23) Compliance with the foregoing requirements shall be verified by the City Manager or their designee prior to commencing business operations. The City Manager or their designee may supplement these security requirements once operations begin, subject to review by the City Manager ~~or their designee~~ if requested by the business owner.

(24) Retailers and microbusinesses authorized to conduct retail activities shall only serve customers who are within the licensed premises, or at a delivery address that meets the requirements of this division.

- (1) The sale and delivery of cannabis goods shall not occur through a pass-through window or a slide-out tray to the exterior of the premises.

- (2) Retailers or microbusinesses shall not operate as or with a drive-in or drive-through at which cannabis goods are sold to persons within or about a motor vehicle.
- (3) No cannabis goods shall be sold and/or delivered by any means or method to any person within a motor vehicle.
- (4) All cannabis goods sold by a retail business shall be contained in child-resistant packaging.
- (5) Retailers shall record point-of-sale areas and areas where cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling cannabis goods, or any person in the retail area, with sufficient clarity to determine identity. A retail licensee or microbusiness licensee who is engaged in retail sale shall hire or contract for security personnel who are at least twenty-one (21) years of age to provide security services for the licensed retail premises. All security personnel hired or contracted for by the licensee shall be licensed by the Bureau of Security and Investigative Services and shall comply with Chapters 11.4 and 11.5 of Division 3 of the Business and Professions Code.

(n) Records and Recordkeeping.

- (1) Each owner and operator of a commercial cannabis business shall maintain accurate books and records in an electronic format, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis (at or before the time of the renewal of a commercial cannabis business permit issued pursuant to this Chapter), or at any time upon reasonable request of the City of National City, each commercial cannabis business shall file a sworn statement detailing the number of sales by the commercial cannabis business during the previous twelve (12) month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes and fees paid or due to be paid. On an annual basis,

each owner and operator shall submit to the City a financial audit of the business's operations conducted by an independent certified public accountant. Each permittee shall be subject to a regulatory compliance review and financial audit as determined by the City Manager or their designee(s).

- (2) Each owner and operator of a commercial cannabis business shall maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in the commercial cannabis business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the commercial cannabis business. The register required by this paragraph shall be provided to the City Manager or their designee(s) upon a reasonable request.
  - (3) If an applicant operated a cannabis collective, cooperative, or other business prior to the enactment of MAUCRSA, then once a state license is obtained, the commercial cannabis business must maintain such records only to the extent permitted or required by MAUCRSA.
  - (4) All commercial cannabis businesses shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase as set forth MAUCRSA.
  - (5) Each commercial cannabis business shall allow the City of National City officials to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted commercial cannabis activities, for the purpose of conducting an audit or examination at any time during the business's business hours. If not otherwise available, books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City. The City may require the materials to be submitted in an electronic format that is compatible with the City's software and hardware.
- (o) Sale of Certain Items Prohibited. It shall be a violation of this Chapter for any commercial cannabis business to sell or offer for sale, possess, give, provide, or to possess with intent to sell or offer for sale, give or provide, any vape products including vape cartridges, flavored or unflavored, electronic cigarettes or other electronic smoking devices, or flavored tobacco products. All such sales or possession are strictly prohibited.

**Section 9.60.240. Amendments to General Operating Requirements.**

The City Manager or their designee may develop other commercial cannabis business operational requirements or regulations as are determined to be necessary to protect the public health, safety and welfare.

**Section 9.60.250. Additional Operating Requirements for Store Front Retail Facilities.**

- (a) Retailers shall verify the age and all necessary documentation of each individual to ensure the customer is not under the age of eighteen (18) years. If the potential customer is eighteen (18) to twenty (20) years old, retailer shall confirm the customer's possession of a valid doctor's recommendation and/or Health and Safety Code Section 11362.71 identification card (Medical Cannabis Card). For adult use or recreational purchases, retailers shall verify that all customers are twenty-one (21) years of age or older for the purchase of cannabis or cannabis products.
  - (1) Access to the premises of a retail licensee/permittee shall be limited to individuals who are at least twenty-one (21) years of age.
  - (2) Notwithstanding Section 9.60.250 (a)(1), individuals who are at least eighteen (18) years of age and in possession of a valid physician's recommendation shall be granted access to the premises of a retail licensee/permittee for the sole purpose of purchasing medicinal cannabis consistent with the physician's recommendation.
  - (3) All individuals seeking access to the commercial cannabis retail business must show their government-issued identification, and, if appropriate, doctor's recommendation of Medical Cannabis card, in order to gain access into the retailer. These documents must also be shown at the point of sale station at the time of purchase. Doctor recommendations are not to be obtained or provided at the retail location.
- (b) Entrances into the retailer shall be locked at all times with entry strictly controlled. A "buzz-in" electronic/mechanical entry system shall be utilized to limit access to and entry to the retailer to separate it from the reception/lobby area.
- (c) Retailers may have only that quantity of cannabis and cannabis products to meet the daily demand readily available for sale on-site in the retail sales area of the retailer. Additional product may be stored in a secured, locked area to which customers, vendors, and visitors shall not have access.
- (d) All restroom facilities shall remain locked and under the control of management.

- (e) Limited Access Areas. A retailer shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas. Authorized individuals include individuals employed by the retailer as well as any outside vendors, contractors, or other individuals conducting business that requires access to the limited access area. All individuals granted access to the limited access area shall be at least twenty-one (21) years of age, and if not employed by the retailer, shall be escorted at all times by an employee of the licensee/permittee. A retailer shall maintain a log of all individuals who are not employees who are granted access to the limited access area. These logs shall be made available to the ~~City of National City Chief of Police or the Development Services Director~~ City Manager or their designee upon request.
- (f) Microbusiness – Commercial Activity. All cultivation, manufacturing, distribution, and retail activities performed by a licensee under a Type 12-Microbusiness permit shall occur on the same licensed premises. Areas of the premises for manufacturing and cultivation shall be separated from the distribution and retail areas by a wall and all doors between the areas shall remain closed when not in use.
- (g) Operating hours of the Store Front Retailer License shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week.
- (h) Store Front/Retail Security Requirements. All provisions incorporated within Section 9.60.230(m) of this Chapter (Security Requirements), are directly applicable to and binding on all commercial cannabis businesses, including all Store Front/Retail businesses. Uniformed licensed security personnel shall be employed to monitor site activity, control loitering and site access, and to serve as a visual deterrent to unlawful activities. Security personnel may be allowed to carry firearms if authorized by San Diego County Sheriff's Department.

**Section 9.60.260. Additional Operating Requirements for Non-Store Front Retail Facilities.**

All Store Front Retailers, Non-Store Front Retailers (delivery) and Microbusinesses which conduct deliveries into or within the City of National City shall be required to obtain a delivery permit from the City of National City in order to conduct retail sales regardless if they are located in the City or another local jurisdiction.

- (a) Operating hours of the Non-Store Front Retailer License shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week.
- (b) The commercial Non-Store Front Retailer shall only sell cannabis or cannabis products to a natural person twenty-one (21) years of age or older, or a natural person eighteen (18) years of age or older who possesses a

physician's recommendation for cannabis medical use only. The age and/or any necessary documentation including a valid doctor's recommendation of each medical customer shall be verified. Doctor recommendations are not to be obtained or provided at the retail location.

- (c) The commercial cannabis Non-Store Front Retailer may only have on-site that quantity of cannabis and cannabis products reasonably anticipated to meet the weekly demand for which they may need to be readily available for sale.

### **Section 9.60.265. Operating Requirements for Consumption Lounges.**

- (a) Any consumption lounge operating within the City of National City must be contained within the premises of a state-licensed retail business or microbusiness, must be locally permitted pursuant to Section 9.60.140, must meet the other requirements of this Chapter, and must be compliant with the following additional requirements:
  - (1) Access to the area where cannabis consumption is allowed is restricted to persons twenty-one (21) years of age or older.
  - (2) Cannabis consumption is not visible from any public place or non-age-restricted area.
  - (3) Sale or consumption of alcohol or tobacco is not allowed on the premises.
  - (4) Patrons cannot bring cannabis, tobacco or alcohol or other substances into the consumption lounge – they can only consume whatever cannabis they purchase on site.
- (b) An applicant must obtain a secondary on-site consumption permit in order for cannabis to be consumed on the premises of an adult-use retail business and shall comply with the following
  - (1) Cannabis consumption areas shall be well ventilated private areas of the retail establishment and are designed to prevent the flow of smoke to any other area of the establishment.
- (c) A commercial cannabis retail business with a retail lounge on its premises shall adopt procedures ensuring that its customers may only gain access to the lounge once they have purchased a product or products from the retail business.

- (d) Vaping is strictly prohibited. The possession or use of vape pens, electronic cigarettes, any type of electronic smoking device, or vape cartridges, both flavored and unflavored, on the premises of a consumption lounge shall be a violation of this Chapter.
- (e) The on-site sale of food is permitted. A Permittee shall comply with laws governing Cannabis Businesses and retail food establishments, including but not limited to the California Retail Food Code.
- (g) The owner/operator of the consumption lounge shall be responsible for maintaining dedicated and sufficient staff during operating hours to verify the identity and age of all patrons seeking admittance to the lounge. Persons under twenty-one (21) shall be denied entry without exception.
- (h) The owner/operator of the consumption lounge shall be responsible for ensuring that a state-licensed security guard is on duty during operating hours.
- (i) The City Manager or his/or designee shall establish conditions for approval for each onsite consumption permit including but not limited to a parking plan, ventilation plan, anti-drugged driving plan, design plan, and set hours of operation. Set hours of operation may only be adjusted by submitting a written request to and obtaining approval from city.
- (j) Cannabis consumption areas shall only provide cannabis to an individual in an amount consistent with personal possession and use limits allowed by the state.

#### **Section 9.60.270. In-City Delivery Vehicle Requirements.**

Prior to commencing delivery operations, any locally permitted cannabis retail operation shall provide the following information to the City of National City:

- (a) Proof of ownership of the vehicle or a valid lease for all vehicles that will be used to deliver cannabis or cannabis products.
- (b) The year, make, model, color, license plate number, and numerical Vehicle Identification Number (VIN) for all vehicles that will be used to deliver cannabis goods.
- (c) Proof of insurance as required in Section 9.60.210(b) for any and all vehicles being used to deliver cannabis goods.

- (d) The licensee shall provide the City with any changes to the information required by this section in writing within thirty (30) calendar days.

#### **Section 9.60.275. Out-of-City Delivery Vehicle Requirements.**

Prior to commencing operations, a cannabis out of City of National City delivery service shall comply with the following requirements:

- (a) Obtain from the City a permit authorizing the delivery of cannabis and cannabis products within the City limits. A copy of this permit shall be retained by all drivers.
- (b) The retail business operating the delivery service shall provide the City Manager or their designee, with evidence of a valid state license for a commercial cannabis business on whose authorization the delivery service is performing the delivery function.
- (c) The retail business operating the delivery service shall furnish to the City Manager or their designee, the year, make, model, color, license plate number, and numerical Vehicle Identification Number (VIN) for any and all vehicles that will be used to deliver cannabis goods.

#### **Section 9.60.280. Additional Operating Requirements for a Cultivation Facility Operation.**

- (a) Outdoor Commercial Cultivation is prohibited.
- (b) In no case, shall cannabis plants be visible from a public or private road, sidewalk, park or any common public viewing area.
- (c) Cannabis cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
- (d) Pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage or inadvertent damage from pests, rodents or other wildlife.
- (e) The cultivation of cannabis shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public, the employees working at the commercial cannabis business, visitors to the area, neighboring properties, and the end users of the cannabis being cultivated, to protect the environment from harm to streams, fish, and wildlife; to ensure

the security of the cannabis being cultivated; and to safeguard against the diversion of cannabis.

- (f) All applicants for a cannabis cultivation permit shall submit to the following in addition to the information generally otherwise required for a commercial cannabis business:
- (1) A cultivation and operations plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of the cultivation activities and schedule of activities during each month of growing and harvesting, or explanation of growth cycles and anticipated harvesting schedules for all-season harvesting.
  - (2) A description of a legal water source, irrigation plan, and projected water use.
  - (3) Identification of the source of electrical power and plan for compliance with applicable Building Codes and related codes.
  - (4) Plan for addressing odor and other public nuisances that may derive from the cultivation site.

#### **Section 9.60.290. Additional Operating Requirements for Distributors.**

- (a) A distributor shall not store non-cannabis goods or non-cannabis accessories that are to be sold to another party on any licensed premises. Additionally, a distributor shall not distribute non-cannabis goods or non-cannabis accessories at a licensed premise. For the purposes of this section, non-cannabis goods are any goods that do not meet the definition of cannabis goods as defined in Title 16, Section 5000(c) of the California Code of Regulations.
- (b) After taking physical possession of a cannabis goods batch, the distributor shall contact a testing laboratory and arrange for a laboratory employee to come to the distributor's licensed premises to select a representative sample for laboratory testing.
- (c) A distributor shall ensure that all cannabis goods are stored separately and distinctly from other cannabis goods on the distributor's premises.

- (d) The distributor shall ensure that the batch size from which the sample is taken meets the requirements of state law, specifically the testing provisions within the California Code of Regulations.
- (e) A distributor or an employee of the distributor shall be physically present to observe the laboratory employee obtain the sample of cannabis goods for testing and shall ensure that the increments are taken from throughout the batch. The sampling shall be video-recorded, and the recording kept available to state and local authorities for a minimum of one hundred eighty (180) days, pursuant to Title 16, Section 5305 of the California Code of Regulations.
- (f) A distributor shall not transport cannabis or cannabis products to a licensed retail facility until and unless it has verified that the cannabis or cannabis products have been tested and certified by a testing lab as being in compliance with state health and safety requirements pursuant to Title 16, Sections 5705, 5710 and 5714 of the California Code of Regulations.

**Section 9.60.300. Additional Operating Requirements for Testing Labs.**

- (a) Testing Labs shall be required to conduct all testing in a manner pursuant to Business and Professions Code Section 26100 and shall be subject to state and local law. Each Testing Lab shall be subject to additional regulations as determined from time to time as more regulations are developed under this Chapter and any subsequent State of California legislation regarding the same.
- (b) Testing Labs shall conduct all testing in a manner consistent with general requirements for the competence of testing and calibrations activities, including sampling using verified methods.
- (c) All cannabis testing laboratories performing testing shall obtain and maintain ISO/IEC 17025 accreditation as required by the Bureau of Cannabis Control.
- (d) Testing labs shall destroy any harvest batch whose testing sample indicates noncompliance with health and safety standards required by the bureau unless remedial measures can bring the cannabis or cannabis products into compliance with quality standards as specified by law and implemented by the bureau.
- (e) Each operator shall ensure that a testing laboratory employee takes the sample of cannabis or cannabis products from the distributor's premises for testing required by state law and that the testing laboratory employee transports the sample to the testing laboratory.

- (f) Except as provided by state law, a testing laboratory shall not acquire or receive cannabis or cannabis products except from a licensee in accordance with state law, and shall not distribute, sell, or dispense cannabis, or cannabis products, from the licensed premises from which the cannabis or cannabis products were acquired or received. All transfer or transportation shall be performed pursuant to a specified chain of custody protocol.
- (g) A testing laboratory may receive and test samples of cannabis or cannabis products from a qualified patient or primary caregiver only if the qualified patient or primary caregiver presents the qualified patient's valid physician's recommendation for cannabis for medicinal purpose. A testing lab shall not certify samples from a qualified patient or primary caregiver for resale or transfer to another party or licensee. All tests performed by a testing laboratory for a qualified patient or primary caregiver shall be recorded with the name of the qualified patient or primary caregiver and the amount of the cannabis or cannabis products received.

**Section 9.60.310. Additional Operating Requirements for Cannabis Manufacturing: Edibles and Other Cannabis Products; Sale or Distribution of Edible and Other Cannabis Products.**

Cannabis manufacturing shall only be permitted pursuant to state law, this chapter and or any subsequently created manufacturing state license as defined in MAUCRSA, and may be permitted to operate only within those zone districts as defined in Section 9.60.070 of this Chapter and Section 18.20.020 of the City of National City Municipal Code.

Any compressed gases used in the manufacturing process shall not be stored on any property within the City of National City in containers that exceeds the amount which is approved by the National City Fire Department and authorized by the regulatory permit. Each site or parcel subject to a commercial cannabis business permit shall be limited to a total number of tanks as authorized by the National City Fire Department on the property at any time. Additional operating requirements include:

- (a) Cannabis manufacturing facilities may use heat, screens, presses, steam distillation, ice water, ethanol and other methods without employing solvents or gases to create keef, hashish, bubble hash, or infused dairy butter, or oils or fats derived from natural sources, and other extracts.
- (b) If an extraction process uses a professional grade closed loop CO<sub>2</sub> gas extraction system every vessel must be certified by the manufacturer for its safe use as referenced in Section 9.60.310 (f). The CO<sub>2</sub> must be of at least ninety-nine percent purity.

- (c) Closed loop systems for compressed gas extraction systems must be commercially manufactured and bear a permanently affixed and visible serial number.
- (d) Certification from an engineer licensed by the State of California, or by a certified industrial hygienist, must be provided to the Community Development Department for a professional grade closed loop system used by any commercial cannabis manufacturing manufacturer to certify that the system was commercially manufactured, is safe for its intended use, and was built to codes of recognized and generally accepted good engineering practices, including but not limited to:
  - (1) The American Society of Mechanical Engineers (ASME);
  - (2) American National Standards Institute (ANSI);
  - (3) Underwriters Laboratories (UL); or
  - (4) The American Society for Testing and Materials (ASTM)
- (e) The certification document must contain the signature and stamp of the professional engineer or industrial hygienist and serial number of the extraction unit being certified.
- (f) Professional closed loop systems, other equipment used, the extraction operation, and facilities must be approved for their use by the Fire Department and meet any required fire, safety, and building code requirements specified in the California Building Reference Codes.
- (g) Cannabis Manufacturing Facilities may use food grade glycerin, ethanol, and propylene glycol solvents to create or refine extracts. Ethanol should be removed from the extract in a manner to recapture the solvent and ensure that it is not vented into the atmosphere.
- (h) Cannabis Manufacturing Facilities creating cannabis extracts must develop standard operating procedures, good manufacturing practices, and a training plan prior to producing extracts for the marketplace.
- (i) Any person using solvents or gases in a closed looped system to create cannabis extracts must be fully trained on how to use the system, have direct access to applicable material safety data sheets and handle and store the solvents and gases safely.

- (j) Parts per million for one gram of finished extract cannot exceed state standards for any residual solvent or gas when quality assurance tested.

**Section 9.60.320. Additional Operating Requirements for a Microbusiness-Cultivation Facility.**

Microbusinesses shall comply with all local operating requirements under this Chapter and all requirements imposed by state law that apply to the specific activities operating under the umbrella of the individual microbusiness.

- (a) Outdoor Commercial Cultivation is prohibited.
- (b) In no case, shall cannabis plants be visible from a public or private road, sidewalk, park or any common public viewing area.
- (c) Commercial cannabis cultivation which is permitted in the City of National City shall not exceed 10,000 square feet of canopy space permitted by state law as part of a microbusiness license.
- (d) Cannabis cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
- (e) Pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage or inadvertent damage from pests, rodents or other wildlife.
- (f) The cultivation of cannabis shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public, the employees working at the commercial cannabis business, visitors to the area, neighboring properties, and the end users of the cannabis being cultivated, to protect the environment from harm to streams, fish, and wildlife; to ensure the security of the cannabis being cultivated; and to safeguard against the diversion of cannabis.
- (g) All applicants for a cannabis cultivation permit shall submit to the following in addition to the information generally otherwise required for a commercial cannabis business:
  - (1) A cultivation and operations plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of the cultivation activities and schedule of activities during each month of growing and

harvesting, or explanation of growth cycles and anticipated harvesting schedules for all-season harvesting.

- (2) A description of a legal water source, irrigation plan, and projected water use.
- (3) Identification of the source of electrical power and plan for compliance with applicable Building Codes and related codes.
- (4) Plan for addressing odor and other public nuisances that may derive from the cultivation site.

### **Section 9.60.330. Permissible Delivery Locations and Customers.**

All retail businesses conducting cannabis delivery operations within the City of National City are subject to the following requirements:

- (a) A licensed cannabis business shall not deliver cannabis goods to an address located on publicly owned land or any address on land or in a building leased by a public agency.
- (b) A licensed cannabis business shall comply with all requirements of state and local law pertaining to the cannabis permit and all subsequent policies, procedures and regulations which may be amended by the City Manager from time to time in order to enforce this Chapter.
- (c) Any kiosk, i-Pad, tablet, smartphone, fixed location or technology platform, whether manned or unmanned, other than a retail location permitted by the city, that facilitates, directs, or assists the retail sale or delivery of cannabis or cannabis products is prohibited and shall be a violation of this Chapter.

### **Section 9.60.340. Expiration of Commercial Cannabis Business Permits.**

Each commercial cannabis business permit issued pursuant to this Chapter shall expire twelve (12) months after the date of its issuance. Commercial cannabis permits may be renewed as provided in Section 9.60.350.

### **Section 9.60.350. Renewal of Cannabis Business Permits.**

- (a) An application for renewal of a commercial cannabis business permit shall be filed at least sixty (60) calendar days prior to the expiration date of the current permit.

- (b) The renewal application shall contain all the information required for new applications.
- (c) The applicant shall pay a fee in an amount to be set by the City Council to cover the costs of processing the renewal permit application, together with any costs incurred by the City of National City to administer the program created under this Chapter.
- (d) An application for renewal of a commercial cannabis business permit shall be rejected if any of the following exists:
  - (1) The application is filed less than sixty (60) days before its expiration.
  - (2) The commercial cannabis business permit is suspended or revoked at the time of the application.
  - (3) The commercial cannabis business has not been in regular and continuous operation in the four (4) months prior to the renewal application.
  - (4) The commercial cannabis business has failed to conform to the requirements of this Chapter, or of any regulations adopted pursuant to this Chapter, or is in violation of any other state or local laws and regulations.
  - (5) The permittee fails or is unable to renew its State of California license.
  - (6) If the state has determined, based on substantial evidence, that the permittee or applicant is in violation of the requirements of the state rules and regulations, and the state has determined that the violation is grounds for termination or revocation of the commercial cannabis business permit.
- (e) The City Manager ~~or the Chief of Police~~ or their designee is authorized to make all decisions concerning the issuance of a renewal permit. In making the decision, the City Manager or their designee is authorized to impose additional conditions to a renewal permit, if it is determined to be necessary to ensure compliance with state or local laws and regulations or to preserve the public health, safety or welfare. Appeals from the decision of the City Manager or their designee shall be handled pursuant to Sections 9.60.380 through 9.60.400.
- (f) If a renewal application is rejected, a person may file a new application pursuant to this Chapter no sooner than one (1) year from the date of the rejection.

**Section 9.60.360. Revocation or Suspension of Permits.**

Commercial cannabis business permits may be revoked or suspended for any violation of any relevant law and/or any rule, regulation and/or standard adopted pursuant to this Chapter, including any amendments to those standards, or pursuant to any policy, procedure or regulation in this Chapter or in the National City Municipal Code.

**Section 9.60.370. Effect of State License Suspension, Revocation, or Termination.**

Suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a commercial cannabis business to operate within the City of National City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a commercial cannabis business, such revocation or termination shall also revoke or terminate the ability of a commercial cannabis business to operate within the City of National City. A cannabis business owner wishing to recommence operations shall re-apply for a local permit at such time as it can demonstrate that the grounds for revocation of the license by the state no longer exist, or that the underlying deficiency has otherwise been cured.

**Section 9.60.380. Appeals.**

Unless specifically provided elsewhere to the contrary, whenever an appeal is provided for in this Chapter from a decision of the City Manager or their designee, the appeal shall be conducted as prescribed in this Chapter.

**Section 9.60.390. Written Request for Appeal.**

- (a) Within ten (10) calendar days after the date of a decision of the City Manager or their designee(s) to revoke, suspend or deny a permit, or to add conditions to a permit, an applicant may appeal such action by filing a written appeal with the City Clerk setting forth the reasons why the decision was not proper. Reasons shall be stated with specificity.
- (b) At the time of filing the appellant shall pay the designated appeal fee, established by resolution of the City Council.

**Section 9.60.400. Appeal Hearing Process.**

- (a) Upon receipt of the written appeal, the City Clerk shall schedule the matter for a hearing before a hearing officer.
- (b) The appeal shall be set within a reasonable time after the date of receipt of the written appeal, but in no event shall be set later than thirty (30) City of National City working days from the date of the receipt of the written appeal. The hearing shall be held no later than ninety (90) City of National City working days from the date of the receipt of the written appeal. The City shall notify the appellant of the time and location at least ten (10) days prior to the date of the hearing. The appellant can waive the right to have their appeal set no later than thirty (30) City of National City working days and/or held no later than ninety (90) City of National City working days from the date of the receipt of the written appeal.
- (c) At the hearing, the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing. The applicant may have the assistance of counsel or may appear by counsel.
- (d) After the City Manager or their designee has presented the statement of facts upon which the determination was made, the burden to show that the action taken by the City Manager or their designee was not based on substantial evidence, or was arbitrary, capricious, or unjustified shall be upon the appealing party.
- (e) If the applicant, or counsel representing the applicant, fails to appear at the hearing, the appeal is abandoned and the action of the City Manager or their designee is final.
- (f) The hearing officer may uphold the denial, suspension, or revocation, may allow that which has been denied, reinstate that which has been suspended or revoked, reverse or modify any other decision of the City Manager or their designee that is the subject of the appeal.
- (g) If the decision of the hearing officer is to deny the appeal, then that decision shall be final and conclusive and shall constitute the exhaustion of the administrative remedy.
- (h) A copy of the written decision of the hearing officer specifying findings of fact and the reasons for the decision shall be given to the applicant or the designated representative and the City Manager or their designee within thirty (30) calendar days of the hearing. If the hearing officer determines the complexity of the case required additional time in which to render a decision, the time in which to render the decision is automatically extended another

thirty (30) calendar days. Service of the decision shall govern the commencement of any period of limitation for judicial review under Code of Civil Procedure Section 1094.6 or 1084.8, whichever is applicable.

**Section 9.60.420. Transfer of Cannabis Business Permit.**

- (a) The owner of a cannabis business permit shall not transfer ownership or control of the permit, **within the first year of obtaining said permit,** to another person or entity unless and until the transferee obtains an amendment to the permit from the City Manager or their designee stating that the transferee is now the permittee. Such an amendment may be obtained only if the transferee files an application with the City Manager or their designee in accordance with all provisions of this Chapter (as though the transferee were applying for an original cannabis business permit). The proposed transferee's application shall be accompanied by a transfer fee in an amount set by resolution of the City Council (or if not set, shall be the same amount as the application fee) **and an acknowledgment that any labor agreements in existence at the time of transfer will be upheld by transferee.**
- (b) The City Manager or their designee shall conduct a hearing to determine whether the transferee passed the background check required for permittees and meets all other requirements of this Chapter.
- (c) Commercial cannabis business permits issued through the grant of a transfer by the City Manager or their designee shall be valid for a period of one year beginning on the day the City Manager or their designee approves the transfer of the permit. Before the transferee's permit expires, the transferee shall apply for a renewal permit in the manner required by this Chapter.
- (d) Changes in ownership of a permittee's business structure or a substantial change in the ownership of a permittee business entity (changes that result in a change of more than 51% of the original ownership), must be approved by the City Manager or their designee through the transfer process contained in this subsection (a). Failure to comply with this provision is grounds for permit revocation.
- (e) A permittee may change the form of business entity without applying to the City Manager or their designee for a transfer of permit, provided that either:
  1. The membership of the new business entity is substantially similar to original permit holder business entity (at least 51% of the membership is identical), or
  2. If the original permittee is an unincorporated association, mutual or public benefit corporation, agricultural or consumer cooperative

corporation and subsequently transitions to or forms a new business entity as allowed under the MAUCRSA and in compliance with Section 9.60.420, provided that the Board of Directors (or in the case of an unincorporated association, the individual(s) listed on the City of National City permit application) of the original permittee entity are the same as the new business entity.

Although a transfer is not required in these two circumstances, the permit holder is required to notify the City Manager or their designee in writing of the change within ten (10) days of the change. Failure to comply with this provision is grounds for permit revocation.

- (f) No commercial cannabis business permit may be transferred when the City Manager or their designee has notified the permittee that the permit has been or may be suspended or revoked.
- (g) Any attempt to transfer a commercial cannabis business permit either directly or indirectly in violation of this section is hereby declared void, and such a purported transfer shall be deemed a ground for revocation of the permit.

#### **Section 9.60.430. Change in Location; Updated Permit Application.**

- (a) Any time the dispensing, cultivation, manufacturing, transportation and distribution location specified in the regulatory permit is changed, the applicant shall re-file a permit application with the City Manager or their designee(s) containing the updated information. The process and the fees for this re-registration shall be the same as the process and fees set forth for registration in Sections 9.60.420(c) and 9.60.160.
- (b) Within fifteen (15) calendar days of any other change in the information provided in the permit application form or any change in status of compliance with the provisions of this Chapter, including any change in the commercial cannabis business ownership or management members, the applicant shall file an updated permit application form with the City Manager or their designee(s) for review along with a application amendment fee, as set forth in Sections 9.60.420(c) and 9.60.160).

#### **Section 9.60.440. Promulgation of Regulations, Standards and Other Legal Duties.**

- (a) In addition to any regulations adopted by the City Council, the City Manager or their designee is authorized to establish any additional rules, regulations and standards governing the issuance, denial or renewal of commercial cannabis business permits, the ongoing operation of commercial cannabis

businesses and the City's oversight, or concerning any other subject determined to be necessary to carry out the purposes of this Chapter.

- (b) Regulations **may will** be published on the City's website.
- (c) Regulations promulgated by the City Manager shall become effective upon date of publication. Commercial cannabis businesses shall be required to comply with all state and local laws and regulations, including but not limited to any rules, regulations or standards adopted by the City Manager or their designee.
- (d) Testing Labs, Distribution facilities, Out of City Delivery Services and Special Events shall be subject to state law and shall be subject to additional City regulations as determined from time to time as more regulations are developed under Section 9.60.020 of this Chapter and any subsequent State of California legislation regarding the same.

#### **Section 9.60.450. Community Relations.**

- (a) Each facility must provide the City Manager or designee with the name, telephone number, and email address of an on-site community relations or staff person or other representative to whom the city can provide notice if there are operating problems associated with the facility or refer members of the public who may have any concerns or complaints regarding the operation of the facility. Each facility must also provide the above information to all businesses and residences located within 100 feet of the facility.
- (b) During the first year of operation of a facility authorized under this Chapter, the owner, manager, and community relations representative from each such facility must attend a monthly meeting with the City Manager **and Chief of Police and/or** ~~or~~ their designees to discuss costs, benefits and other community issues arising as a result of implementation of the Certificate of Approval authorized by this Chapter. After the first year of operation, the owner, manager, and community relations representative from each such facility must meet with the City Manager ~~and the Chief of Police~~ or their designee when and as requested by the City Manager ~~or Chief of Police~~ or their designee, with reasonable notice.

#### **Section 9.60.460. Fees Deemed Debt to the City of National City.**

The amount of any fee, cost or charge imposed pursuant to this Chapter shall be deemed a debt to the City of National City that is recoverable via an authorized administrative process as set forth in the City ordinance, or in any court of competent jurisdiction.

**Section 9.60.470. Responsibility for Violations.**

All Responsible persons pursuant to this Chapter shall be responsible for all violations of the laws of the State of California or of the regulations and/or the ordinances of the City of National City, whether committed by the property owner, permittee or any employee or agent of the property owner or permittee, which violations occur in or about the premises of the commercial cannabis business whether or not said violations occur within the permit holder's presence.

**Section 9.60.480. Inspection and Enforcement.**

- (a) The City Manager, or their designee charged with enforcing the provisions of the City of National City Municipal Code, or any provision thereof, may enter the location of a commercial cannabis business at any time, without notice, to check for compliance with all state and local laws and inspect the location of any commercial cannabis business as well as any recordings and records required to be maintained pursuant to this Chapter or under applicable provisions of State law.
- (b) It is unlawful for any responsible persons, to impede, obstruct, interfere with, or otherwise not to allow, the City to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a commercial cannabis business under this Chapter or under state or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a commercial cannabis business under this Chapter or under state or local law.
- (c) The City Manager, or their designee charged with enforcing the provisions of this Chapter may enter the location of a commercial cannabis business at any time during the hours of operation and without notice to obtain samples of the cannabis to test for public safety purposes. Any samples obtained by the City of National City shall be logged, recorded, and maintained in accordance with established procedures by the City of National City's City Manager or Chief of Police or their designee or these regulations.

**Section 9.60.490. Compliance with State Regulations.**

It is the stated intent of this Chapter to regulate commercial cannabis activity in the City of National City in compliance with all provisions MAUCRSA and any subsequent state legislation.

**Section 9.60.500. Violations Declared a Public Nuisance.**

Each and every violation of the provisions of this Chapter is hereby deemed unlawful and a public nuisance and may be enjoined civilly or administratively. In addition, and to the extent not expressly provided elsewhere in this code, it is unlawful and a misdemeanor to maintain a public nuisance.

**Section 9.60.510. Each Violation a Separate Offense.**

Each and every violation of this Chapter shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by the City of National City. Additionally, as a nuisance per se, any violation of this Chapter shall be subject to injunctive relief, any permit issued pursuant to this Chapter being deemed null and void, disgorgement and payment to the City for any monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or in equity. The City of National City may also pursue any and all remedies and actions available and applicable under state and local laws for any violations committed by the commercial cannabis business or persons related to, or associated with, the commercial cannabis activity.

**Section 9.60.520. Serious Violations Grounds for Immediate Suspension of License or Permit.**

The City shall retain the authority, pursuant to Chapter 1.12, to address serious violations that rise to the level of posing an imminent threat to the public health, safety or welfare of the City, by immediately suspending the commercial cannabis license or permit issued by the City with a stop order. Such action by the City may be appealed pursuant to Sections 9.60.380 to 9.60.400 of this Chapter.

**Section 9.60.530. Criminal Penalties.**

Each and every violation of the provisions of this Chapter may in the discretion of the District Attorney or City Attorney be prosecuted as a misdemeanor and upon conviction be subject to a fine not to exceed one thousand dollars (\$1,000) or imprisonment in the County jail for a period of not more than twelve (12) months, or by both such fine and imprisonment. Each day a violation is committed or permitted to continue shall constitute a separate offense.

**Section 9.60.540. Remedies Cumulative and Not Exclusive.**

- (a) The remedies provided herein are not to be construed as exclusive remedies. The City of National City is authorized to pursue any proceedings or remedies provided by law.
- (b) The City Attorney may, in addition to, or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings for the abatement, removal, or enjoinder thereof, in any manner provided by law,

Map 1

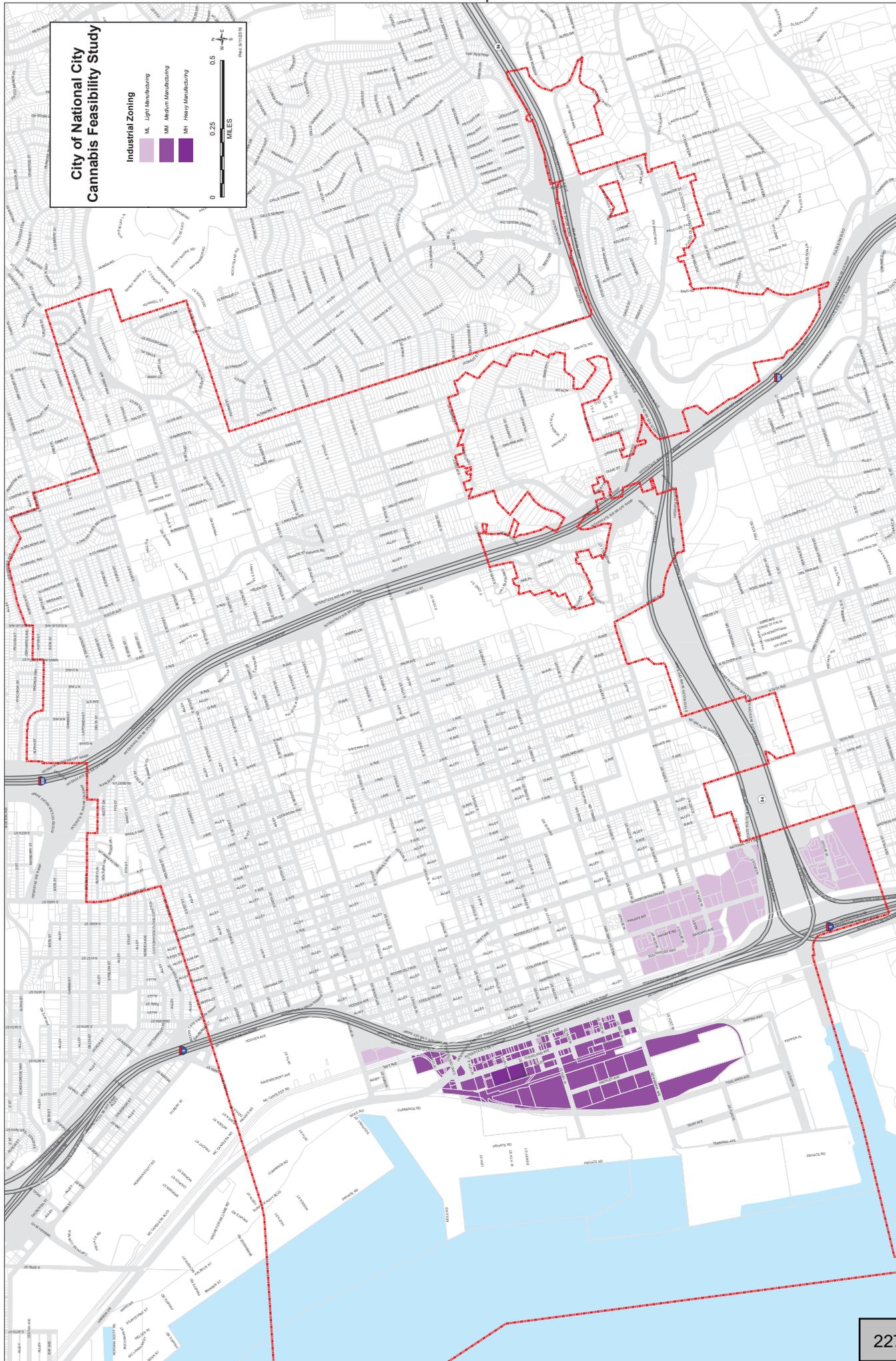
**City of National City  
Cannabis Feasibility Study**

**Industrial Zoning**

- IL Light Manufacturing
- IM Medium Manufacturing
- IH Heavy Manufacturing

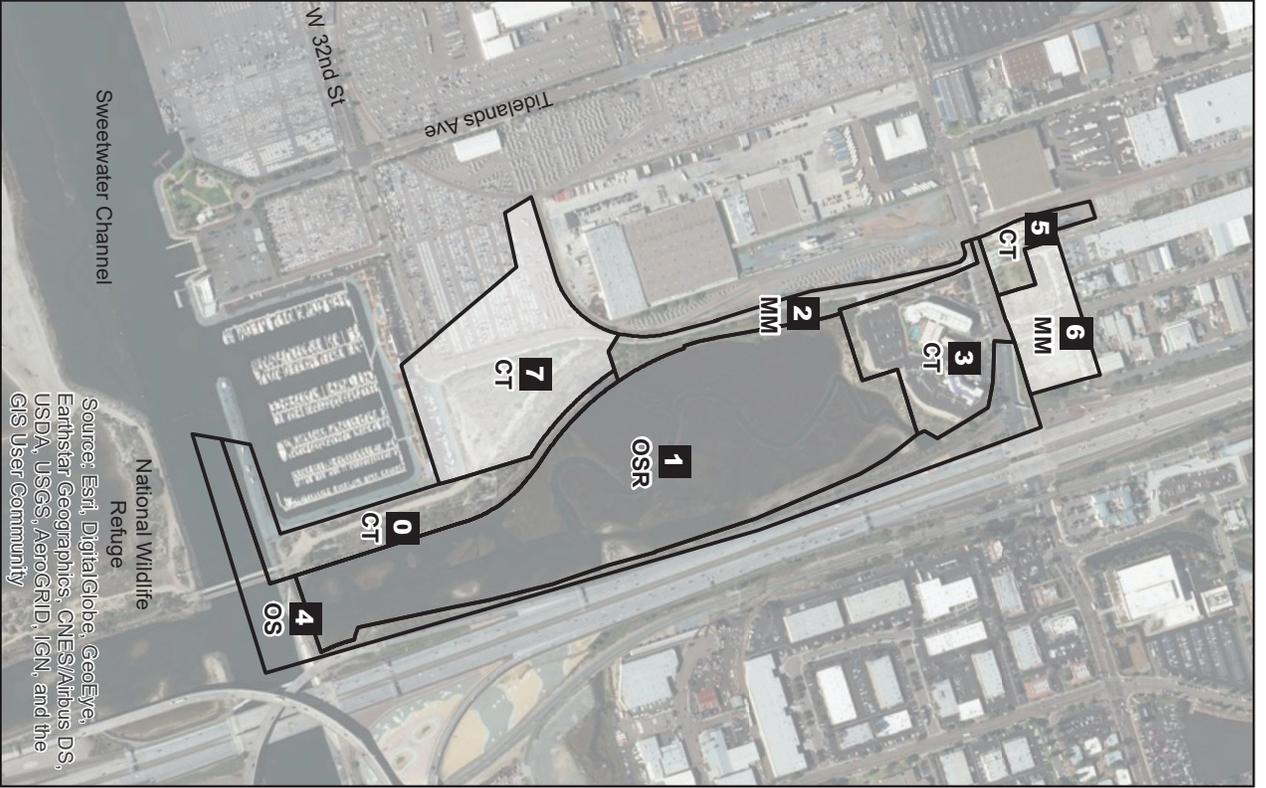
0 0.25 0.5  
MILES

N  
E  
W  
S





National City Existing Zones



National City Proposed Zones

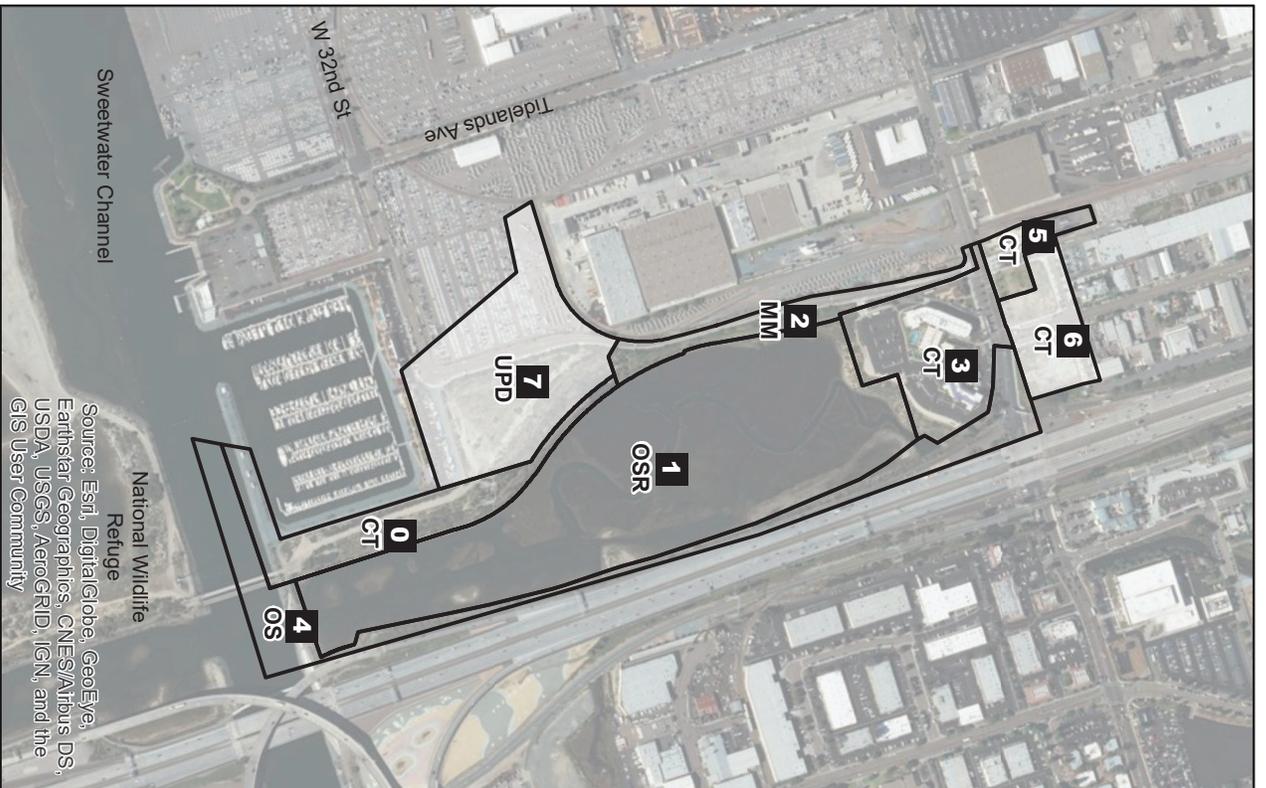
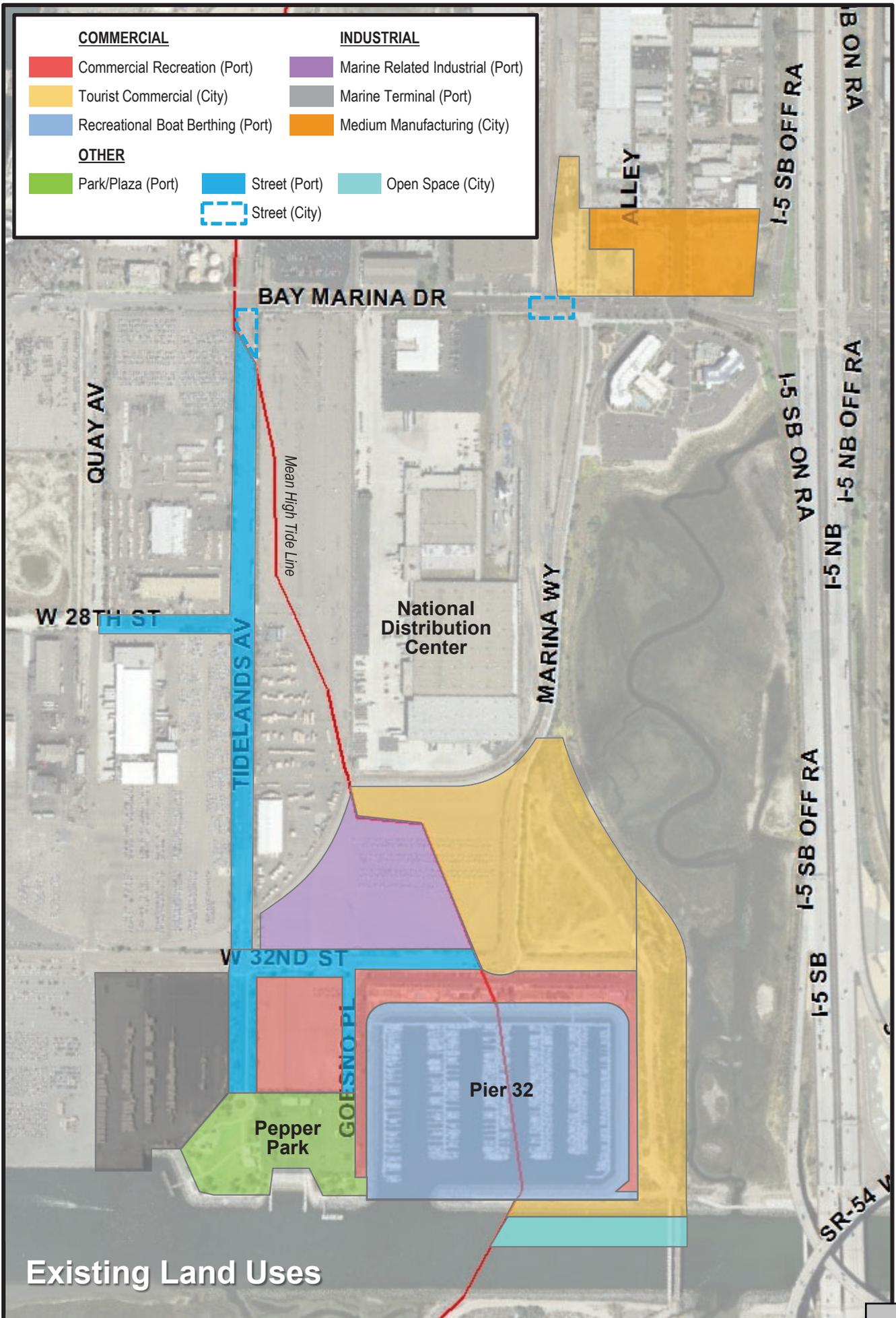


Figure 3-21 Existing and Proposed City Zoning National City Bayfront Projects & Plan Amendments EIR



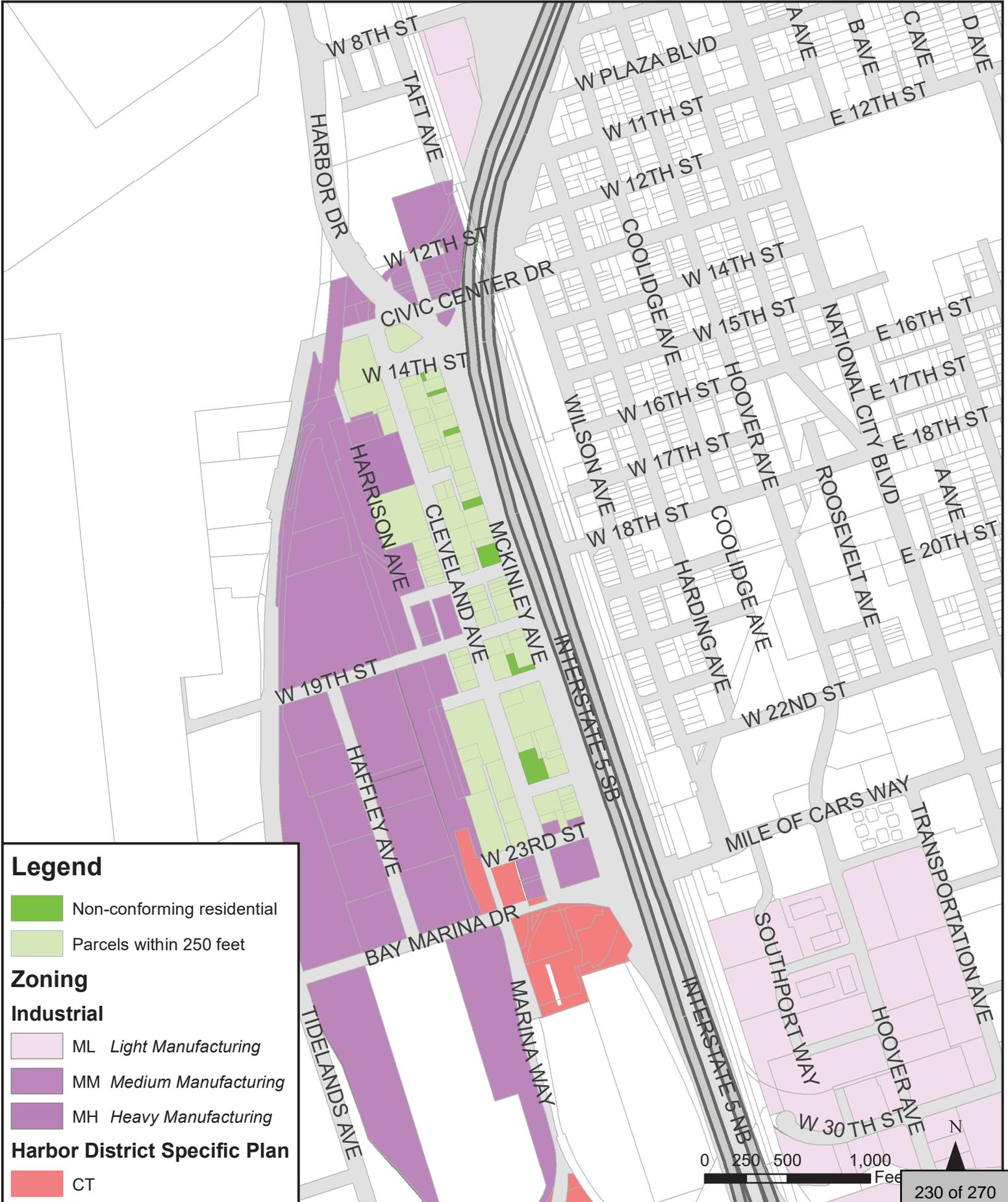


# Non-Conforming Residential Properties within Commercial Cannabis Zoning

Updated: 2/17/2021

Map 4

Attachment 3



# City of National City Cannabis Feasibility Study

**Citywide Zoning**

- School
- Small Business (SB) FT

**Mixed-Use**

- MUC-1: Minor Mixed-Use Corridor
- MUC-1A: Minor Mixed-Use Corridor
- MUC-2: Major Mixed-Use Corridor
- MUC-2A: Major Mixed-Use Corridor
- MUC-3: Major Mixed-Use District
- MUC-3A: Major Mixed-Use District

**Commercial**

- CA: Commercial Automobile
- CS: Service Commercial

**Industrial**

- IL: Light Manufacturing
- MM: Medium Manufacturing
- MH: Heavy Manufacturing

**Institutional**

- I: Institutional

**Harbor District Specific Plan**

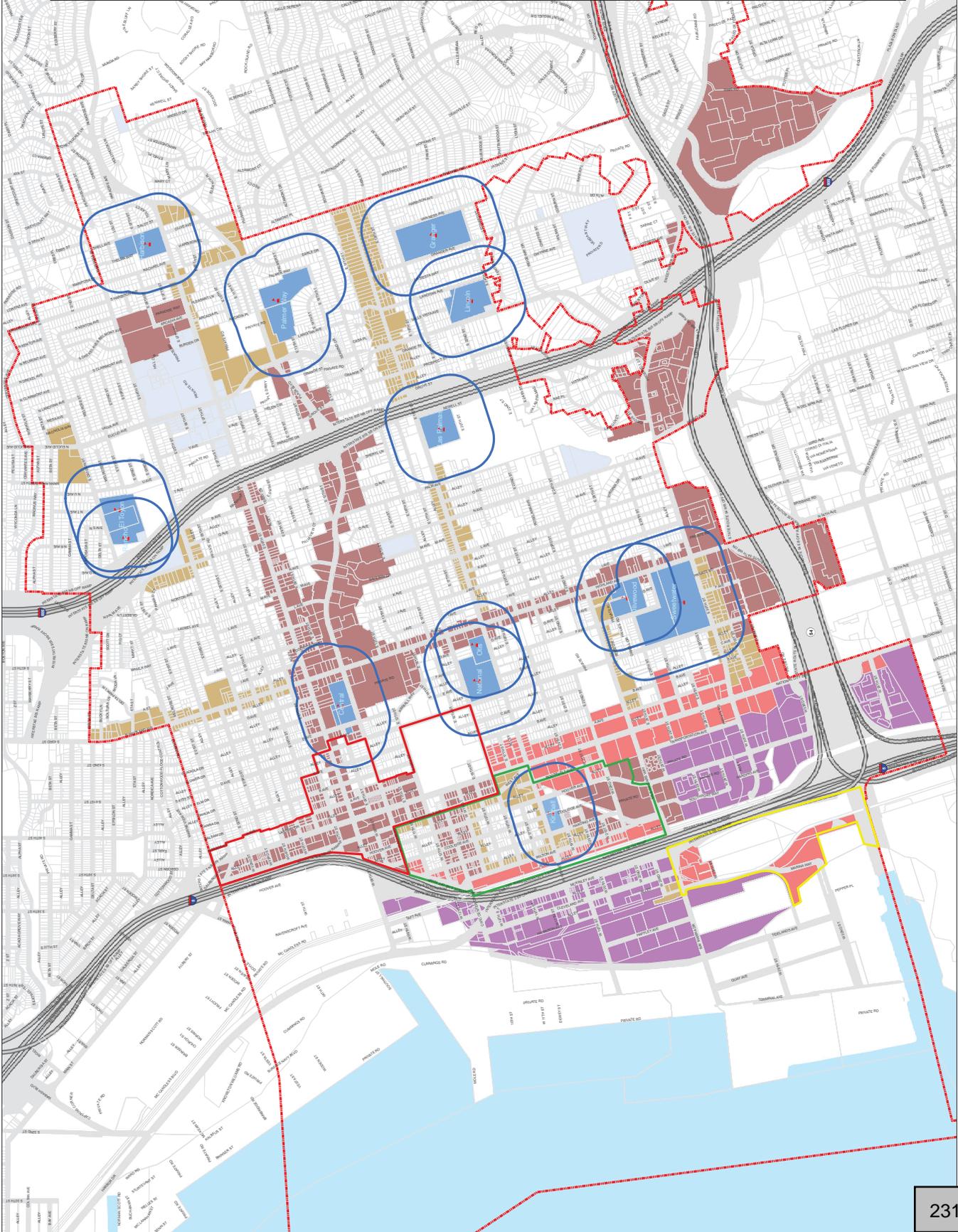
- Zones
- CT: Tourist Commercial

**Westside Specific Plan**

- Zones
- MDC-1: Multi-Use Commercial/Residential (2% alcohol may)
- MDC-2: Multi-Use Commercial/Residential (4% alcohol may)
- CL: Limited Commercial

**Downtown Specific Plan**

- Mixed Use Zones
- 1A
- 1B
- 3
- 4
- 5A
- 5B
- 6
- 7
- 9
- 12A
- 12B



The following page(s) contain the backup material for Agenda Item: [Public Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Sections 18.30.340 \(Medical marijuana dispensaries\) and 18.30.345 \(Medical marijuana cultivation\) of Title 18 \(Zoning\) of the National City Municipal Code. \(Planning\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.**

**ITEM TITLE:**

Public hearing and Introduction of an Ordinance of the City Council of the City of National City amending Sections 18.30.340 (Medical marijuana dispensaries) and 18.30.345 (Medical marijuana cultivation) of Title 18 (Zoning) of the National City Municipal Code. (Applicant City-Initiated) (Case File 2019-29 A)

**PREPARED BY:** Martin Reeder, AICP 

**DEPARTMENT:** Community Development

**PHONE:** 619-336-4313

**APPROVED BY:** 

**EXPLANATION:**

The City is in the process of amending Title 9 (Health and Sanitation) of the National City Municipal Code (NCMC) in order to add a new chapter (9.60) related to the regulation of commercial cannabis activity. The NCMC currently includes two sections related to cannabis/marijuana: 18.30.340 (Medical marijuana dispensaries) and 18.30.345 (Medical marijuana cultivation). Both are inconsistent with the proposed NCMC Chapter 9.60 and will both require modification in order to comply and be consistent with the new chapter.

The Planning Commission held a public hearing on the matter at their meeting of March 15, 2021 and made a recommendation that the City Council not amend the Municipal Code related to medical marijuana.

The attached background report explains the proposed changes.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Not a project per California Environmental Quality Act (CEQA)

**ORDINANCE:** INTRODUCTION:  **FINAL ADOPTION:**

**STAFF RECOMMENDATION:**

Introduce the Ordinance amending NCMC sections 18.30.340 and 18.30.345 related to medical marijuana.

**BOARD / COMMISSION RECOMMENDATION:**

The Planning Commission recommended denial of the proposed amendments.

**ATTACHMENTS:**

- |                          |   |
|--------------------------|---|
| 1. Background Report     | 4. Public Hearing Notice                  |
| 2. Proposed Code Changes | 5. Planning Commission Resolution 2021-02 |
| 3. Findings              | 6. Ordinance                              |

## BACKGROUND REPORT

### Staff Recommendation

Staff recommends that the City Council amend sections 18.30.340 and 18.30.345 of the National City Municipal Code related to marijuana/cannabis.

### Overview

The City is in the process of amending Title 9 (Health and Sanitation) of the National City Municipal Code (NCMC) in order to add a new chapter (9.60) related to the regulation of commercial cannabis activity. The new regulations will allow (if adopted) for certain commercial cannabis uses, under agreement with the City, in the industrial and Tourist Commercial zones west of Interstate 5. The NCMC currently includes two sections related to cannabis/marijuana: 18.30.340 (Medical marijuana dispensaries) and 18.30.345 (Medical marijuana cultivation). Both are inconsistent with the proposed NCMC Chapter 9.60 and will both require modification in order to comply and be consistent with the new chapter. In addition, section 18.30.340 is inconsistent with state law, in that cultivation is permitted for personal use subject to the government code.

### Proposed Changes

Chapter 18.30.340 (Medical marijuana dispensaries) currently reads as follows:

18.30.340 - Medical marijuana dispensaries.

A. Prohibition.

1. Medical marijuana dispensaries are prohibited.

B. Definitions.

1. For purposes of this section, "medical marijuana dispensary" shall mean a facility where marijuana is made available for medical purposes in accordance with Section 11362.5 of the California Health and Safety Code.
2. For purposes of this section, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.

This section is proposed to be struck in its entirety.

ATTACHMENT 1

Chapter 18.30.345 (Medical marijuana cultivation) currently reads as follows:

18.30.345 - Medical marijuana cultivation.

A. Prohibition.

1. Cultivation of marijuana for medicinal purposes is prohibited.
2. Cultivation of marijuana is prohibited regardless of purpose.

B. Definitions. For the purpose of this section the following definitions shall apply:

1. "Cultivation of marijuana" shall mean the planting, growing, cultivating, harvesting, drying, or processing of marijuana.
2. For purposes of this section, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.

This section is also proposed to be struck in its entirety.

A new Chapter 18.30.340 is proposed to replace the existing sections as follows:

18.30.340 - Commercial marijuana activity.

A. Prohibition.

1. Commercial marijuana activity is prohibited except as provided for in Chapter 9.60 of the National City Municipal Code.

B. Definitions.

1. "Commercial marijuana activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery, or sale of marijuana and marijuana products.
2. For purposes of this section, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.

A strikethrough/underline version of the changes are attached to this staff report.

### Findings

There are two findings required for approval of a Code Amendment, one related to General Plan consistency and one related to compliance with the California Environmental Quality Act (CEQA).

### General Plan Conformance

The requested amendments to this section will make Title 18 consistent with the proposed Chapter 9.60. As well as consistency between documents (e.g. specific plans, community, plans, municipal codes, etc.), the General Plan requires that these documents also be internally consistent. This amendment will implement that requirement.

### CEQA Compliance

These amendments are not considered to be a project under CEQA as there would be no physical impact as a result of the change. The changes would continue to prohibit commercial marijuana activity, except as permitted by law and by NCMC Chapter 9.60, approval of which was subject to CEQA compliance.

### Planning Commission Hearing

The Planning Commission held a public hearing on the matter at their meeting of March 15, 2021 and made a recommendation that the City Council not amend the Municipal Code related to medical marijuana. The recommendation was based on the finding that the requested amendments were inconsistent with the General Plan, because commercial cannabis activity is not a desirable or necessary use in the community and that is counter to General Plan Policy LU-3.2, which discourages the intrusion of new incompatible land uses existing residential areas.

### Summary and next steps

Staff is recommending the amendments to the City's Municipal Code related to the regulation of commercial cannabis activity and recommends that the City Council introduce the Ordinance. If introduced, the Ordinance will return for adoption at a subsequent meeting.

### OPTIONS

1. Introduce the Ordinance amending Sections 18.30.340 and 18.30.345 of the Land Use Code based on the attached findings or findings to be determined by the City Council (approve); or
2. File the report (deny).

## RECOMMENDED FINDINGS FOR APPROVAL

1. That the requested amendments to this section are consistent with the General Plan, because they will make Title 18 consistent with the proposed Chapter 9.60; as well as consistency between documents (e.g. specific plans, community, plans, municipal codes, etc.), the General Plan requires that these documents also be internally consistent.
2. That the proposed amendments have been reviewed and been found to comply with the California Environmental Quality Act (CEQA); the amendments are not considered to be a project under CEQA as there would be no physical impact as a result of the change. The changes would continue to prohibit commercial marijuana activity, except as permitted by law and by NCMC Chapter 9.60, approval of which was subject to CEQA compliance.

ATTACHMENT 2

Deletions shown as ~~Strikethrough~~

Additions shown as Underline

~~18.30.340 - Medical marijuana dispensaries.~~

~~A. Prohibition.~~

- ~~1. Medical marijuana dispensaries are prohibited.~~

~~B. Definitions.~~

- ~~1. For purposes of this section, "medical marijuana dispensary" shall mean a facility where marijuana is made available for medical purposes in accordance with Section 11362.5 of the California Health and Safety Code.~~
- ~~2. For purposes of this section, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.~~

Commercial marijuana activity.

A. Prohibition.

1. Commercial marijuana activity is prohibited except as provided for in Chapter 9.60 of the National City Municipal Code.

B. Definitions.

1. "Commercial marijuana activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery, or sale of marijuana and marijuana products.
2. For purposes of this section, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.

~~18.30.345 - Medical marijuana cultivation.~~

~~A. Prohibition.~~

- ~~1. Cultivation of marijuana for medicinal purposes is prohibited.~~
- ~~2. Cultivation of marijuana is prohibited regardless of purpose.~~

~~B. Definitions. For the purpose of this section the following definitions shall apply:~~

- ~~1. "Cultivation of marijuana" shall mean the planting, growing, cultivating, harvesting, drying, or processing of marijuana.~~
- ~~2. For purposes of this section, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.~~

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the City Council of the City of National City will hold a Public Hearing after the hour of 6:00 p.m., **Tuesday, April 6, 2021**, via **LIVE WEBCAST** from the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider:

**CODE AMENDMENT AMENDING SECTIONS 18.30.340  
(MEDICAL MARIJUANA DISPENSARIES) AND 18.30.345 (MEDICAL MARIJUANA  
CULTIVATION) OF TITLE 18 (ZONING)  
OF THE NATIONAL CITY MUNICIPAL CODE**

The Planning Commission conducted a Public Hearing at their meeting of March 15, 2021, and voted to not recommend amendment of existing Municipal Code language related to commercial marijuana activity in the City, 6 to 1.

Due to the precautions taken to combat the spread of coronavirus (COVID-19), the City Council Chambers, are closed to the public. Anyone interested in this Public Hearing may view the City Council Meeting on the City's webpage at <https://www.nationalcityca.gov/webcast>

Interested parties may register to speak during the City Council zoom meeting, but must register by 4:00 p.m. the day of the meeting. The City Council will also accept written public comments regarding this matter via e-mail sent to [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov). Written comments from the public (limited to a maximum of three minutes) must be submitted via e-mail by 4:00 p.m. on the day of the City Council Meeting. For information on registering to speak or on submitting written comments, please visit the City Clerk's webpage at <https://www.nationalcityca.gov/government/city-clerk/public-comments>.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice via e-mail, or through written correspondence delivered to the undersigned prior to the Public Hearing.

March 17, 2021  
Shelley Chapel, Deputy City Clerk  
Published in the Star News: Friday, March 26, 2021.

ATTACHMENT 4

RESOLUTION NO. 2021-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF NATIONAL CITY, CALIFORNIA, RECOMMENDING DENIAL  
TO THE CITY COUNCIL OF A CODE AMENDMENT AMENDING SECTIONS  
18.30.340 (MEDICAL MARIJUANA DISPENSARIES) AND 18.30.345 (MEDICAL  
MARIJUANA CULTIVATION) OF TITLE 18 (ZONING)  
OF THE NATIONAL CITY MUNICIPAL CODE.  
APPLICANT: CITY-INITIATED.  
CASE FILE NO. 2019-29 A

WHEREAS, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the amendment of the National City Municipal Code, per Chapter 18.12.140; and,

WHEREAS, the Planning Commission of the City of National City, California, considered said proposed amendment at a duly advertised public hearing held on March 15, 2021 at which time the Planning Commission considered evidence; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report provided for Case File No. 2019-29 A, which is maintained by the City and incorporated herein by reference; along with any other evidence presented at said hearing; and,

WHEREAS, the Planning Commission recommends denial to the City Council of the City of National City amendment to Sections 18.30.340 (Medical marijuana dispensaries) and 18.30.345 (Medical marijuana cultivation) of Title 18 (Zoning) of the National City Municipal Code; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, this action is taken in an effort to comply with applicable State and Federal law; and,

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Planning Commission of the City of National City, California, that the evidence presented to the Planning

Commission at the public hearing held on March 15, 2021, support the following findings:

1. That the requested amendments to this section are inconsistent with the General Plan, because commercial cannabis activity is not a desirable or necessary use in the community and is counter to General Plan Policy LU-3.2, which discourages the intrusion of new incompatible land uses in existing residential areas.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

CERTIFICATION:

---

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 15, 2021, by the following vote:

AYES: Dela Paz, Sanchez, Natividad, Sendt, Flores, Yamane

NAYS: Roman

---

ABSENT: None.

---

ABSTAIN: None.

  
\_\_\_\_\_  
CHAIRPERSON

**ORDINANCE NO. 2021 –**

**AN ORDINANCE AMENDING SECTIONS 18.30.340 (MEDICAL MARIJUANA DISPENSARIES) AND 18.30.345 (MEDICAL MARIJUANA CULTIVATION) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE**

**WHEREAS**, the City of National City (the “City”), pursuant to the police powers delegated to it by the California Constitution, has the authority to enact or amend laws which promote the public health, safety, and general welfare of its residents; and

**WHEREAS**, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the amendment of the National City Municipal Code; and

**WHEREAS**, on March 15, 2021, a noticed Public Hearing was held by the Planning Commission, and all persons interested were given the opportunity to appear and be heard before the National City Planning Commission; and

**WHEREAS**, the Planning Commission regularly and duly certified its report to the City Council of National City and has recommended denial of amending NCMC Title 18: and

**WHEREAS**, pursuant to a published 10-day notice of the adoption of said ordinance, a Public Hearing was held by the City Council on April 6, 2021, and at said Public Hearing, all persons interested were given the opportunity to appear and be heard before the City Council.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1.** All protests, if any, against said amendment to the Municipal Code and each of them be and hereby are denied and overruled.

**Section 2.** Section 18.30.340 (Medical Marijuana Dispensaries) is hereby amended to read as follows:

18.30.340 - Commercial Marijuana Activity

A. Prohibition.

1. Commercial marijuana activity is prohibited except as provided for in Chapter 9.60 of the National City Municipal Code.

B. Definitions.

1. "Commercial marijuana activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery, or sale of marijuana and marijuana products.
2. For purposes of this section, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.

**Section 3.** Section 18.30.345 (Medical Marijuana Cultivation) is hereby struck in its entirety.

**Section 4.** Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**Section 5.** This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the City Council voting for and against the same in the Star News, a newspaper of general circulation published in the County of San Diego, California.

**PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

\_\_\_\_\_  
Luz Molina, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charles E. Bell Jr., City Attorney

The following page(s) contain the backup material for Agenda Item: [Public Hearing and Resolution of the Community Development Commission - Housing Authority of the City of National City approving the Streamlining Annual Public Housing Agency \("Annual PHA Plan"\) for the Housing Choice Voucher Program for Fiscal Year 2021-2022 and authorizing submittal of the Annual PHA Plan for acceptance by the U.S. Department of Housing and Urban Department. \(Housing Authority\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 6, 2021

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Public Hearing and Resolution of the Community Development Commission-Housing Authority of the City of National City approving the Streamlined Annual Public Housing Agency Plan ("Annual PHA Plan") for the Housing Choice Voucher Program for Fiscal Year 2021-2022 and authorizing submittal of the Annual PHA Plan for acceptance by the U.S. Department of Housing and Urban Development.

**PREPARED BY:** Marta Rios,  
**PHONE:** Housing Programs Manager  
**EXPLANATION:** (619)336-4259

**DEPARTMENT:** Housing Authority

**APPROVED BY:** 

See attached staff report:

The Streamlined Annual PHA Plan for Fiscal Year 2021-2022 (Attachment #3) was distributed via email to Council on February 8, 2021 and is available for review on the City's website at [www.nationalcityca.gov](http://www.nationalcityca.gov), at the office of the City Clerk, and at the Section 8 Housing Choice Voucher Program office.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.** There will be no fiscal impact as a result of this action.

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Not applicable

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt the Resolution

**BOARD / COMMISSION RECOMMENDATION:**

Not applicable

**ATTACHMENTS:**

1. Background Report
2. Public Hearing Notice with Proof of Publication
3. Streamlined Annual PHA Plan for Fiscal Year 2021-2022,
4. Resolution

Community Development Commission  
Housing Authority of the City of National  
City Section 8 Housing Choice Voucher  
Program

Agenda Statement

Addendum April 6, 2021

Background:

The U.S. Department of Housing and Urban Development (HUD), in response to the Quality Housing and Work Responsibility Act of 1998 (QHWRA), requires housing authorities to prepare a Section 8 Housing Choice Voucher Program (HCV), Public Housing Agency (PHA) Plan. The PHA Plan concept is based on the consolidated planning process used for HUD's community and development programs. Like the Consolidated Plan that is required by HUD for jurisdictions using federal funds for housing and community development, the Plan provides a planning mechanism by which the National City Housing Authority(NCHA) , Section 8 HCV Program can examine its long-range needs and short term needs. Specifically, the PHA Plan identifies the needs of the families that it serves and develops both long-term strategies (i.e. Five- Year PHA Plan) and short- term strategies (i.e. Streamlined Annual Plan)for addressing the needs.

The Streamlined Annual Plan provides details about the immediate operations, program participants, programs and services. This Plan also identifies the NCHA's strategy for handling operation concerns, resident's concerns, needs, programs and services.

As required by the Regulations, a Public Hearing needs to be conducted regarding the PHA Plan and submitted to the U.S. Department of Housing and Urban Development prior to April 17, 2021.

The Streamlined Annual PHA Plan for FY2021-2022 was distributed via email to Council on February 4, 2021. The referenced and supporting documents will be available for public review after February 5, 2021, on the City's webpage at [www.nationalcityca.gov/section8](http://www.nationalcityca.gov/section8) and at the following locations:

National City Housing Authority  
Section 8-HCV Program  
140 E 12<sup>th</sup> Street, Suite B,  
National City, CA 91950

City of National City – City Hall  
City Clerk Office  
1243 National City Blvd.  
National City, CA 91950

Available for review at: [www.nationalcityca.gov](http://www.nationalcityca.gov)

**NOTICE OF PUBLIC HEARING**

Community Development Commission-Housing Authority of the City of National City Fiscal Year 2021-2022 Streamlined Annual Public Housing Agency Plan (PHA)

**NOTICE IS HEREBY GIVEN** that the Board of Commissioners of the Community Development Commission-Housing Authority of the City of National City will hold a public hearing on April 6, 2021, at 6:00 p.m., in the National City Council Chambers located at 1243 National City Boulevard, National City, California. The purpose of the public hearing is to gather input on the Fiscal Year 2021-2022 Streamlined Annual I PHA Plan. The Streamlined Annual PHA Plan will also be released for a 45-day public review and comment period on or about February 5, 2021.

The PHA Plan is a comprehensive guide to the Section 8 Housing Choice Voucher Program (HCV) policies, programs, operations, and strategies for meeting local housing needs and goals. The Streamlined Annual Plan is submitted to HUD every year. The Section 8 HCV Administrative Plan is also subject to review as part of the Streamlined Annual PHA Plan and governs the Housing Authority's administration of its Section 8 HCV Program.

The referenced and supporting documents will be available for public review after February 5, 2021 at the following locations and on the City of National City website: [www.cityofnationalcityca.gov](http://www.cityofnationalcityca.gov)

CDC, Housing Authority of The City of National City  
Section 8-Housing Choice Voucher Program  
140 E 12<sup>th</sup> Street, Suite B,  
National City, CA 91950

City of National City – City Hall  
City Clerk  
1243 National City Blvd.  
National City CA 91950

Written comments may be submitted prior to the public hearing and during the 45-day comment period ending on or about April 6, 2021, to:

CDC Housing Authority of the City of National City  
Section 8 - Housing Choice Voucher Program  
Attn: Marta Rios, Housing Programs  
Manager 140 E. 12th Street, Suite B  
National City CA 91950  
Phone: (619) 336-4254  
Fax: (619) 477-3747

DATED: January 27, 2021

Brad Raulston  
Executive Director

Date of Publication: February 5, 2021

AFFP

102536 Housing Authority

# Affidavit of Publication

STATE OF CALIFORNIA} SS  
COUNTY OF SAN DIEGO}

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principle clerk of the printer of THE STAR-NEWS , a newspaper of general circulation, published ONCE WEEKLY in the city of Chula Vista and the South Bay Judicial District, County of San Diego, which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 18, 1973, Case Number 71752; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

February 05, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn by me this 5th day of February 2021.

Chula Vista, San Diego County, California

00003581 00102536

CV-CITY OF NATIONALCITY  
1243 NATIONAL CITY BLVD.  
NATIONAL CITY, CA 91950

## NOTICE OF PUBLIC HEARING

Community Development Commission-Housing Authority of the City of National City Fiscal Year 2022 Streamlined Annual Public Housing Agency Plan (PHA)

NOTICE IS HEREBY GIVEN that the Board of Commissioners of the Community Development Commission-Housing Authority of the City of National City will hold a public hearing on April 6, 2021. at 6:00 p.m., in the National City Council Chambers located at 1243 National City Boulevard, National City, California. The purpose of the public hearing is to gather input on the Fiscal Year 2021-2022 Streamlined Annual PHA Plan. The Streamlined Annual PHA Plan will also be released for a 45-day public review and comment period on or about February 5, 2021.

The PHA Plan is a comprehensive guide to the Section 8 Housing Choice Voucher Program (HCV) policies, programs, operations, and strategies for meeting local housing needs and goals. The Streamlined Annual Plan is submitted to HUD every year. The Section 8 HCV Administrative Plan is also subject to review as part of the Streamlined Annual PHA Plan and governs the Housing Authority's administration of its Section 8 HCV Program.

The referenced and supporting documents will be available for public review after February 5, 2021 at the following locations and on the City of National City website:

CDC, Housing Authority of the City  
of National City  
Section 8-Housing Choice Voucher Program  
140 E. 12th Street, Suite B  
National City CA 91950  
City of National City – City Hall  
City Clerk  
1243 National City Blvd  
National City CA 91950

Written comments may be submitted prior to the public hearing and during the 45-day comment period ending on or about April 6, 2021, to:

CDC, Housing Authority of the City of National City  
Section 8 - Housing Choice Voucher Program  
Attn: Marta Rios, Housing Programs Manager  
140 E. 12th Street, Suite B  
National City CA 91950  
Phone: (619) 336-4254  
Fax: (619) 477-3747

DATED: February 1, 2021

Brad Raulston  
Executive Director Date of Publication: February 5, 2021  
CV102536 2/5/21



*CDC – NATIONAL CITY HOUSING AUTHORITY  
HOUSING CHOICE VOUCHER PROGRAM*

**STREAMLINED ANNUAL  
PUBLIC HOUSING AGENCY PLAN  
FOR  
FISCAL YEAR 2021 - 2022**

140 E. 12<sup>th</sup> Street, Suite B  
National City CA 91950-3312  
(619) 336-4254— Telephone  
(619) 477-3747— Facsimile  
[www.nationalcityca.gov](http://www.nationalcityca.gov)  
[Section8@nationalcityca.gov](mailto:Section8@nationalcityca.gov)

<b>Streamlined Annual PHA Plan</b> <i>(HCV Only PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 02/29/2016
--	---	---

**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

**Applicability.** Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment, and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

A.	PHA Information.																																			
A.1	<p>PHA Name: <u>National City Housing Authority</u>      PHA Code: <u>CA116</u>                      PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2021</u>                      PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)                      Number of Housing Choice Vouchers (HCVs) <u>1123</u>                      PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission      <input type="checkbox"/> Revised Annual Submission</p> <p><b>Availability of Information.</b> In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Participating PHAs</th> <th style="width: 10%;">PHA Code</th> <th style="width: 25%;">Program(s) in the Consortia</th> <th style="width: 20%;">Program(s) not in the Consortia</th> <th style="width: 20%;">No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	Lead HA:																													
Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program																																
Lead HA:																																				

<b>B.</b>	<b>Annual Plan.</b>
<b>B.1</b>	<p><b>Revision of PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Informal Review and Hearing Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification.</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element(s):</p>
<b>B.2</b>	<p><b>New Activities</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Project Based Vouchers.</p> <p>(b) If this activity is planned for the current Fiscal Year, describe the activities. Provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan. <b>Kimball Tower Senior Housing Project - 149 Project-Based units. Located at 1317 D Avenue, National City CA 91950 A rehabilitation senior development of 151 affordable housing units, of which 149 are set aside for continued Section 8 Project-Based Housing Choice Vouchers serving low-income senior individuals.</b></p>
<b>B.3</b>	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N N/A</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<b>B.4</b>	<p><b>Civil Rights Certification</b></p> <p>Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>B.5</b>	<p><b>Certification by State or Local Officials.</b></p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>B.6</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in its 5-Year PHA Plan.</p>

<b>B.7</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y   N  <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(a) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
------------	--

## Instructions for Preparation of Form HUD-50075-HCV Annual PHA Plan for HCV Only PHAs

### A. PHA Information. All PHAs must complete this section. (24 CFR §903.23(4)(e))

**A.1** Include the full PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning (MM/YYYY), Number of Housing Choice Vouchers (HCVs), PHA Plan Submission Type, and the Availability of Information, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

**PHA Consortia:** Check box if submitting a Joint PHA Plan and complete the table. (24 CFR §943.128(a))

### B. Annual Plan. All PHAs must complete this section. (24 CFR §903.11(c)(3))

#### B.1 Revision of PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the "yes" box. If an element has not been revised, mark "no."

**Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income families who reside in the PHA's jurisdiction and other families who are on the Section 8 tenant-based waiting list. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income), (ii) elderly families and families with disabilities, and (iii) households of various races and ethnic groups residing in the jurisdiction or on the waiting list based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(1) and 24 CFR §903.7(a)(2)(i)). Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. (24 CFR §903.7(a)(2)(ii))

**Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. (24 CFR §903.7(b))

**Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))

**Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. (24 CFR §903.7(d))

**Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. (24 CFR §903.7(e)(3)(4)).

**Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants. (24 CFR §903.7(f))

**Homeownership Programs.** A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. (24 CFR §903.7(k))

**Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities under section 3 of the Housing and Community Development Act of 1968 and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. (24 CFR §903.7(l)(i)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. (24 CFR §903.7(l)(iii)).

**Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. (24 CFR §903.7(r)(2)(i))

**Significant Amendment/Modification.** PHA must provide its criteria for determining a “Significant Amendment or Modification” to its 5-Year and Annual Plan. Should the PHA fail to define ‘significant amendment/modification’, HUD will consider the following to be ‘significant amendments or modifications’: a) changes to rent or admissions policies or organization of the waiting list; or b) any change with regard to homeownership programs. See guidance on HUD’s website at: [Notice PIH 1999-51](#). (24 CFR §903.7(r)(2)(ii))

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

**B.2 New Activity.** If the PHA intends to undertake new activity using Housing Choice Vouchers (HCVs) for new Project-Based Vouchers (PBVs) in the current Fiscal Year, mark “yes” for this element, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake this activity, mark “no.” (24 CFR §983.57(b)(1) and Section 8(13)(C) of the United States Housing Act of 1937.

**Project-Based Vouchers (PBV).** Describe any plans to use HCVs for new project-based vouchers. If using PBVs, provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan.

**B.3 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark “yes” and describe those findings in the space provided. (24 CFR §903.11(c)(3), 24 CFR §903.7(p))

**B.4 Civil Rights Certification.** Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulation*, must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction’s initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o))

**B.5 Certification by State or Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, including the manner in which the applicable plan contents are consistent with the Consolidated Plans, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15)

**B.6 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year PHA Plan. (24 CFR §903.11(c)(3), 24 CFR §903.7(r)(1))

**B.7 Resident Advisory Board (RAB) comments.** If the RAB provided comments to the annual plan, mark “yes,” submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA’s decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

---

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 4.5 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

**A.1 Location where the public may obtain copies of the Annual PHA Plan:**

**Main Administrative office of the PHA:**

National City Housing Authority  
Section 8 Housing Choice Voucher Program  
140 E 12<sup>th</sup> Street, Suite B  
National City, CA 91950

**Main administrative office of local, county or State government:**

City of National City – City Hall  
City Clerk Office  
1243 National City Boulevard  
National City, CA 91950

[www.nationalcityca.gov](http://www.nationalcityca.gov)

**B.6 Progress Report**

**Mission and Goals**

**PHA Goal: Expand the supply of assisted housing**

Objective: Increase housing choices for families and individuals.

- Progress: The National City Housing Authority continued its leasing process to maximize the number of families being assisted.

**PHA Goal: Improve the quality of assisted housing**

Objective: Provide replacement vouchers

- Progress: Once a family leaves the program, a replacement family is immediately available.

Maintain safe, decent, sanitary units and improve quality of life for residents living in assisted units.

- Progress: National City Housing Authority (NCHA) inspects each assisted unit at least once a year to make sure that residents are living in a unit that is decent, safe and sanitary. Due to COVID-19 NCHA has followed HUD's safety guidance on Housing Quality Standard inspections, accepting written self-certifications from Owner and Tenant.

**PHA Goal: Increase assisted housing choices**

Objective: Maintain current number of vouchers within funding level.

- Progress: Management closely monitors the utilization of vouchers and make sure that there are within the funding level.

**PHA Goal: Provide an improved living environment**

Objective: Assists the local economy by increasing the occupancy rate and the amount of money flowing in the community.

- Progress: The current occupancy rate is at 97%, thus, maximizing the number of families being assisted which turns into more spending power for residents in the community.

**PHA Goal: Promote self-sufficiency and asset development of families and individuals**

Objective: Increase the number and percentage of employed persons within the assisted units.

- Progress: Continued referrals to the National City Collaborative and other supportive services to increase independence.

**PHA Goal: Ensure equal opportunity and affirmatively further fair housing**

Objective: Promote equal housing opportunities.

- Progress: Fair housing programs and resources are included in all issuance briefings.

**PHA Goal: Deter and eliminate program fraud**

Objective: Take all steps necessary to prevent to prevent fraud, waste and mismanagement.

- Progress: Continued tenant counseling and providing detailed understanding of the program at briefing, annuals and moves.

### **VAWA Attachment**

On January 5, 2006, President Bush signed the Violence Against Women Act (VAWA) into law as Public Law 109-162. In response to VAWA, the National City Housing Authority (NCHA) has taken the following steps:

- NCHA partners with the National City Collaborative (NCC) to provide services to individuals and families caught in domestic violence. These services include: 24-hour crisis line, legal support, transitional housing program referrals, clinical counseling, support groups, domestic violence treatment program for people who abuse, youth education and prevention programs, and volunteer training.
- NCHA refers child or adult victims of domestic violence, dating violence, sexual assault, or stalking to NCC for assistance.
- NCHA has revised many of its policies and procedures so as to enable child or adult victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing.
- NCC provides numerous domestic violence prevention and intervention programs and classes. Clients are referred when there is a belief that they may be victims of domestic violence, or potential victims.

### **VAWA Components in the Housing Choice Voucher Administrative Plan**

VAWA policies are incorporated throughout the Housing Choice Voucher Administrative Plan. Those policies are summarized below:

- NCHA may deny assistance to applicants if any household member is currently engaged in, or has engaged in violent criminal activity or criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity during the past five years. However, no applicant who has been a victim of domestic violence, dating violence or stalking will be denied assistance if they are otherwise qualified for the program.
- NCHA may terminate a participant family's assistance if any household member has violated the family's obligation not to engage in any violent criminal activity or criminal activity that may threaten the health, safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity during participation in the HCV Program. However, no

Applicant who has been a victim of domestic violence, dating violence or stalking will have their assistance terminated if they are otherwise qualified for the program.

- Any incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence, and shall not be good cause for terminating the assistance, tenancy or occupancy rights of the victim.
- NCHA may terminate the assistance of an individual family member to remove a lawful occupant or tenant who engages in criminal acts or threatened acts of violence or stalking to family members or others without terminating the assistance or evicting victimized lawful occupants.
- There is no limitation on the ability of the NCHA to terminate assistance for other good cause unrelated to the incident or incidents of domestic violence, dating violence or stalking, other than the victim may not be subject to a "more demanding standard" than non-victims.
- NCHA will require certification by the victim of the victim status on such forms as the NCHA and/or HUD shall prescribe or approve.
- When a family on the waiting list breaks up into two otherwise eligible families, only one of the new families may retain the original application date.
- If the family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.

## **VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY**

### **I. Purpose and Applicability**

The purpose of this policy is to implement the applicable provisions of the violence against women and department of justice reauthorization act of 2005 (pub. L. 109-162) and more generally to set forth the NCHA's policies and procedures regarding domestic violence, dating violence, and stalking, as hereafter defined.

The policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

### **II. Goals and Objectives**

This policy and the following goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;

- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by NCHA;
- C. Providing and maintaining housing opportunities for victims of domestic violence , dating violence, or stalking;
- D. Creating and maintaining collaborative arrangements between NCHA, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by NCHA; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by NCHA.

### III. **Other NCHA Policies and Procedures**

This Policy shall be referenced in and incorporated in and made a part of NCHA's Admission and Continued Occupancy Policy. To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of NCHA, the provisions of this Policy shall prevail.

### IV. **Definitions**

As used in this Policy;

- A. *Domestic Violence* – The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- B. *Dating Violence* – means violence committed by a person –
  - (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - (i) the length of the relationship
    - (ii) the type of relationship
    - (iii) the frequency of interaction between the persons involved in the relationship.
- C. *Stalking* - means

- (A) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
- (B) In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of death of, or serious bodily injury to, or to cause substantial emotional harm to –
  - (i) that person;
  - (ii) a member of the immediate family of that person; or
  - (iii) the spouse or intimate partner of that person;

D. *Immediate Family Member* – means, with respect to a person –

- (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
- (B) Any other person living in the household of that person and related to that person by blood or marriage.

E. *Perpetrator* – means person who commits an act of domestic violence, dating violence or stalking against a victim.

## V. ADMISSIONS AND SCREENING

- A. *Non-Denial of Assistance*. NCHA will not deny admission to public housing to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

## VI. TERMINATION OF TENANCY OR ASSISTANCE

- A. *VAWA Protections*. Under VAWA, public housing residents have the following specifications, which will be observed by NCHA.
1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
  2. In additions to the foregoing, tenancy or assistance will not be terminated by NCHA as a result of criminal activity, if that

criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

- a. Nothing contained in this paragraph shall limit any otherwise available authority of NCHA or to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, the NCHA may apply a more demanding standard to the victim of domestic violence dating or stalking than that applied to other tenants.
  - b. Nothing contained in this paragraph shall be construed to limit the authority of NCHA to evict or terminate from assistance any tenant or lawful applicant if the NCHA can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.
- B. *Removal of Perpetrator.* Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, HACNC, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such

eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by HACNC.

## **VII. VERIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE OR STALKING**

A. *Requirement for Verification.* The law allows, but does not require, NCHA to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. NCHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by NCHA. Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* – by providing the NCHA a written certification, on a form approved by U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question must be described in reasonable detail as required in the HUD approved form, and the completed certification must include the name of the perpetrator.
2. *Other documentation* – by providing to NCHA documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

3. *Police or court record* – by providing to NCHA a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.
8. *Time allowed to provide verification/failure to provide*. An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by HACNC, to provide verification, must provide such verification within 14 business days (*i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays*) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.
- C. *Waiver of verification requirement*. The Executive Director of NCHA may with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case of cases, regardless of similarity in circumstances.

## VIII. CONFIDENTIALITY

- A. *Right of confidentiality*. All Information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to HACNC in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:
  1. Requested or consented to by the individual in writing, or
  2. Required for use in a public housing eviction proceeding, as permitted in VAWA, or
  3. Otherwise required by applicable law

**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan or  
State Consolidated Plan  
(All PHAs)**

U. S Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 2/29/2016

**Certification by State or Local Official of PHA Plans  
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Carlos Aguirre Housing Director  
*Official's Name* *Official's Title*

Certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

National City Housing Authority.  
*PHA Name*

Is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of  
Impediments (AI) to Fair Housing Choice of the

City of National City  
*Local Jurisdiction Name*

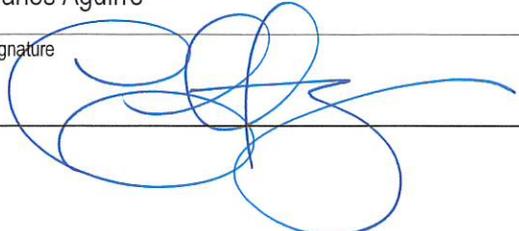
Pursuant to: 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State Consolidated Plan and the AI.

The goals of the PHA Plan are aimed at meeting the priority housing needs outlined in the Consolidated Plan by expanding Housing Choice Voucher utilization to increase availability of affordable housing to families earning less than 50% AMI.

Its goal is also to increase availability of service-enriched housing.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Carlos Aguirre	Housing Director
Signature	Date
	2-3-2021

**Civil Rights Certification**  
*(Qualified PHAs)*

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB Approval No. 2577-0226  
Expires 02/29/2016

**Civil Rights Certification**

**Annual Certification and Board Resolution**

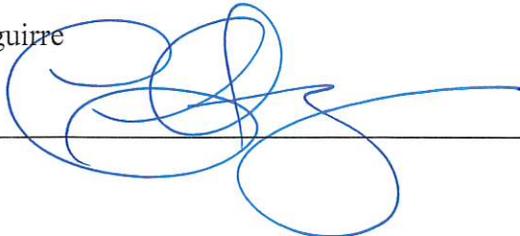
*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official, I approve the submission of the 5-Year PHA Plan for the PHA of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the public housing program of the agency and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those program, addressing those impediments in a reasonable fashion in view of the resources available and working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.

Housing Authority City of National City  
PHA Name

CA116  
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Carlos Aguirre	Housing Director
Signature 	Date <u>2-3-2021</u>

**RESOLUTION NO. 2021-**

**RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING THE STREAMLINED ANNUAL PUBLIC HOUSING AGENCY (PHA) PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM FOR THE FISCAL YEAR 2021-2022 AND AUTHORIZING SUBMITTAL OF THE ANNUAL PHA PLAN FOR ACCEPTANCE BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**WHEREAS**, on October 21, 1998, the United States Congress enacted Public Law 105- 276, known as the Quality Housing and Work Responsibility Act ("QHWRA") requiring housing authorities to adopt and amend an Administrative Plan and submit a Public Housing Agency ("PHA") Annual Plan; and

**WHEREAS**, the Streamlined Public Housing Agency Annual Plan provides details about the Community Development Commission - Housing Authority of National City's immediate operations, program participants, programs, and services and also identifies the Community Development Commission - Housing Authority's strategy for handling operational concerns, resident concerns and needs, programs and services; and

**WHEREAS**, the U.S. Department of Housing and Urban Development ("HUD") requires a Public Hearing to be held to receive public input; and

**WHEREAS**, on April 6, 2021, a Public Hearing was held for review and recommendation by the public of the proposed Streamlined Annual Public Housing Agency Plan for the Fiscal Year 2021-2022; and

**WHEREAS**, the Resident Advisory Board, composed of all Section 8 Housing Choice Voucher participants, was given an opportunity to review and comment on the proposed plan. No recommendations or comments were received regarding the proposed plan.

**NOW THEREFORE THE COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1.** Approves the Annual Public Housing Agency Plan ("PHA") for the Fiscal Year 2021-2022.

**Section 2.** Approves submitting the Streamlined PHA Plan for Fiscal Year 2021-2022 by the Executive Director to the U.S. Department of Housing and Urban Development ("HUD").

**Section 3.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED and ADOPTED this 6<sup>th</sup> day of April 2021.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Chairwoman

**ATTEST:**

\_\_\_\_\_  
Luz Molina, Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Charles E. Bell Jr., General Counsel

The following page(s) contain the backup material for Agenda Item: [City Manager Report.](#)  
[\(City Manager\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/06/21

**City Manager Report**

**(City Manager)**